

able to appear on the floor of the House very few times. Neither was he able to attend many of the meetings of the committees to which he had been assigned. Early in the summer of 1926, on the advice of his physicians, he went to New York for treatment for his ailment; but the treatment was not successful, and he passed away in New York City June 13, 1926. His faithful wife was with him during all of his illness and at the time of his death, and her kindly care and cheerful encouragement undoubtedly prolonged his life.

The body was brought to Washington, and from here, accompanied by a congressional delegation, was taken to San Francisco, arriving in that city on the 21st of June, where he was given a public funeral. His body lay in state at the city hall with a guard of honor from the Army and Navy. The funeral was the next day, the 22d of June, and was attended by city, county, State, and Federal officials, by representatives of labor unions, and by a large concourse of mourning friends. The body was taken from the city hall to the cathedral and after the church services was taken to Holy Cross Cemetery in San Mateo County, where he was buried within a few miles of the place of his birth.

If all there is of existence is this earthly life of trial and trouble and tribulation, of sorrow and sin, of health and sickness, of joy and grief, of success and failure; if it is only a narrow isthmus between the shores of the boundless oceans of two eternities of oblivion, then one might well say of—

LIFE

Man hath a weary pilgrimage
As through this world he wends;
At every stage from youth to age
Still discontent attends.
With heaviness he looks upon
The road that lies before,
And still remembers with a sigh
The days that are no more.
This earthly life's naught but a debt
That all are doomed to pay—
A narrow path with thorns beset,
A dark and winding way.
Only a field to labor in
Where work is never through,
And every task accomplished
Makes a double task to do.
It is a dark and dreary day
And clouds of sorrow rise,
While pleasure's evanescent ray
Scarce flickers in the skies.
It is a strangely mingled scene
Of tumult, toil, and strife;
And yet poor human nature clings
Tenaciously to life.

But we know, "It is not all of life to live, nor all of death to die." As Longfellow says—

There is no death! What seems so is transition:
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death.

Socrates, Plato, Aristotle, Cicero, and other great Grecian and Roman philosophers by pure reason and logic arrived at the conclusion that there is a creating, directing, and controlling Divine power and to a belief in the immortality of the human soul. Throughout the ages all races and all peoples have instinctively so believed. It is the basis of all religions, be they heathen, Mohammedan, Hebrew, or Christian. It is believed by savage tribes and by semicivilized and civilized nations, by those who believe in many gods and by those who believe in one God. Agnostics and atheists are and always have been few in number. Does the spirit of man live after it has separated from the flesh, is an age-old question. We are told in the Bible that when God created man from the dust of the earth—

He breathed into his nostrils the breath of life, and man became a living soul.

And when the serpent tempted Eve and induced her to eat of the forbidden fruit of the tree of knowledge, he said to her—
Ye shall not surely die.

Job is supposed to be the oldest book in the Bible, and Job asked the question—

If a man die, shall he live again?

And later answered the question by saying:

For I know that my Redeemer liveth, and that He shall stand at the latter day upon the earth; and after my skin, even this body is destroyed, then without my flesh shall I see God, whom I shall see for

myself, and mine eyes shall behold and not another; though my reins be consumed within me.

Modern science accepts as a fact the first words in the Bible—

In the beginning God created.

And the greatest scientists say all science can do is to try to interpret and apply the laws of God. Scientists can not create matter nor life. They can mold, develop, and use them, but can not call them into being. They are compelled to admit the truth of the old nursery rhyme:

Nor you, nor I, nor nobody knows,
How oats, peas, beans, and barley grows.

And that the English poet, Samuel Rogers, uttered a truth when he said:

That very power that molds a tear
And bids it trickle from its source,
That power maintains the earth a sphere
And guides the planets in their course.

That power is one of the laws of God put into force at the creation of the universe. From the beginning of recorded time to the present day most scientists have been religious men, with a firm belief in the Creator. Many have doubted some of the tenets of the theology of orthodoxy and some have suffered martyrdom for so doing, but they did not and do not deny the Creator. Their scientific truths have one by one been accepted when proved and their guesses not based on fact and evidence discarded. Of a necessity scientific investigation must to a certain extent be empirical; it is experimental and not dogmatic. When properly understood, science is the handmaiden of true religion and confirms our belief in the Creator and in immortality.

Whoever plants a seed beneath the sod
And waits to see it break away the clod
Believes in God.

LAWRENCE J. FLAHERTY had an unshaken faith in the goodness of God and in the immortality of the soul; that belief strengthened him and helped him bear with equanimity, courage, and Christian fortitude his painful sickness and sustained him in his hour of death. He lived a good and useful life. He was a good son, a loving husband, a faithful public official, a good citizen, a true friend, and an honored and respected representative of labor. Had he lived he would have become a valuable and influential Member of the House of Representatives. We join in the sorrow of his beloved wife, his family, and his many friends in what appears to us to be his untimely death.

Mr. CURRY resumed the chair.

ADJOURNMENT

The SPEAKER pro tempore. Now, in accordance with the resolution previously adopted, as a special mark of respect in memory of the deceased the House will stand adjourned until to-morrow at 12 o'clock noon.

Accordingly (at 1 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Monday, February 28, 1927, at 12 o'clock noon.

SENATE

MONDAY, February 28, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, in Thy providence we are permitted to realize for ourselves the opportunities of further service in Thy name. We humbly ask Thee that we may be given that understanding of the times and realization of the high purposes of government that this may be a hallowed day indeed in ministry for the world's weal. We ask in Jesus Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16688. An act to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla.;

H. R. 17291. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1927, and June 30, 1928, and for other purposes; and

H. R. 17298. An act granting the consent of Congress to the States of New York and Vermont to construct, maintain, and operate a free highway bridge across Lake Champlain.

The message also announced that the House had passed the joint resolution (S. J. Res. 171) correcting description of lands granted to the State of New Mexico for the use and benefit of New Mexico College of Agriculture and Mechanic Arts by enrolled bill S. 4910, Sixty-ninth Congress.

The message further communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. LAWRENCE J. FLAHERTY, late a Representative from the State of California.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 179. An act for the relief of J. W. Neil;

S. 244. An act for the relief of Elizabeth W. Kieffer;

S. 2085. An act to correct the naval record of John Cronin;

S. 2348. An act for the relief of Nick Masonich;

H. R. 5028. An act for promotion of certain officers of the United States Army now on the retired list;

H. R. 15641. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1928, and for other purposes; and

H. R. 16950. An act granting the consent of Congress to the department of highways and public works of the State of Tennessee to construct, maintain, and operate a bridge across the Clinch River in Hancock County, Tenn.

CONSTRUCTION AT MILITARY POSTS—CONFERENCE REPORT

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 17243) to authorize appropriations for construction at military posts, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WADSWORTH. I move that the Senate insist on its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. WADSWORTH, Mr. REED of Pennsylvania, Mr. GREENE, Mr. FLETCHER, and Mr. SHEPPARD conferees on the part of the Senate.

Mr. WADSWORTH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17243) to authorize appropriations for construction at military posts, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the sum proposed by the amendment of the Senate insert the following: "\$7,115,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the language stricken out by the amendment of the Senate insert the following: "Fort Sam Houston, San Antonio, Tex., barracks, \$500,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the language stricken out by the amendment of the Senate insert the following: "Scott Field, Ill., barracks, \$100,000"; and the Senate agree to the same.

J. W. WADSWORTH, Jr.,
FRANK L. GREENE,
DUNCAN U. FLETCHER,
MORRIS SHEPPARD,

Managers on the part of the Senate.

W. FRANK JAMES,
JOHN PHILIP HILL,
JOHN J. MCSWAIN,

Managers on the part of the House.

The report was agreed to.

ARTHUR E. COLGATE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 105) for the relief of Arthur E. Colgate, administrator of Clinton G. Colgate, deceased, which was, to strike out all after the enacting clause and insert in lieu thereof the following:

That the findings of fact made by the Court of Claims in the case of Arthur E. Colgate, administrator of the estate of Clinton G. Colgate, deceased, against the United States, Congressional No. 6063, Senate Document No. 703, Sixty-fourth Congress, second session, be, and they are hereby, referred back to the Court of Claims, with jurisdiction to render such judgment as the findings of fact heretofore found and the law require: *Provided*, That either party hereto may appeal to the Supreme Court of the United States upon or from any conclusion of law or judgment, from which appeals now lie in other cases, at any time within 90 days after the rendition of judgment: *Provided further*, That the amount of any such judgment shall not exceed the sum of \$50,000: *And provided further*, That such notice hereof shall be given to the Attorney General of the United States as may be provided by orders of said court, and it shall be the duty of the Attorney General to cause one of his assistants to appear and defend for the United States.

Mr. WADSWORTH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

STEAMSHIP "GAELIC PRINCE"

The VICE PRESIDENT laid before the Senate the amendment of the House to the bill (S. 118) for the relief of all owners of cargo aboard the steamship *Gaelic Prince* at the time of her collision with the U. S. S. *Antigone*, which was, on page 2, line 11, after "appeal," to insert "except that no interest shall be allowed on any claim."

Mr. WADSWORTH. I move that the Senate concur in the amendment of the House.

Mr. ROBINSON of Arkansas. Mr. President, may I inquire what the amendment is?

Mr. WADSWORTH. I can explain it in a sentence. There were four claims bills, three of which have been returned by the House with an amendment to the effect that interest shall not be paid upon the claims, and I am moving that the Senate concur in the amendment of the House, with the approval of the chairman of the Committee on Claims, the Senator from Colorado [Mr. MEANS], who is thoroughly familiar with the matter.

Mr. ROBINSON of Arkansas. I have no objection.

The motion was agreed to.

STEAMSHIP "NEPTUNE"

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 115) for the relief of the owner of the steamship *Neptune*, which was, on page 2, line 9, after "appeal" to insert "except that no interest shall be allowed on any claim."

Mr. WADSWORTH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

FERRYBOAT "OREGON"

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 111) for the relief of the owners of the ferryboat *Oregon*, which was, on page 2, line 8, after "appeal" to insert a comma and "except that no interest shall be allowed on any claim."

Mr. WADSWORTH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CHARLES A. MAYO ET AL.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 70) for the relief of Charles A. Mayo, T. S. Taylor, and Frank Hickey, which was, on page 1, line 3, to strike out "That there be paid" and insert "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay."

Mr. JONES of Washington. I move that the Senate concur in the House amendment.

The motion was agreed to.

ODELON RAMOS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2594) for the relief of Odelon Ramos, which was, on page 1, line 6, to strike out "\$5,000, as compensation" and insert "\$2,000 in full settlement against the Government."

Mr. SHEPPARD. I move that the Senate concur in the House amendment.

The motion was agreed to.

SENATOR FROM IDAHO

Mr. BORAH. I present the credentials of my colleague and ask that they may be read and referred.

The credentials were read and ordered to be placed on file, as follows:

STATE OF IDAHO, DEPARTMENT OF STATE.

I, Fred E. Lukens, secretary of state of Idaho and custodian of the records of election of said State, do hereby certify that on the 2d day of November, 1926, FRANK R. GOODING was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 21st day of February, 1927.

[SEAL.]

FRED E. LUKENS,
Secretary of State.

Mr. BORAH subsequently said: I inquire what became of the credentials of my colleague, Mr. GOODING, that were presented. I asked that they be referred.

The VICE PRESIDENT. They were ordered placed on file.

Mr. BORAH. I understood that all the credentials have been referred and that there will be a general report on them to-morrow.

OHIO RIVER BRIDGE, NEAR LOUISVILLE, KY.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5083) to supplement the act entitled "An act granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city," approved April 2, 1926, which were, to strike out all after the enacting clause and insert:

That the times for commencing and completing the construction of the bridge authorized by the act entitled "An act granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city," approved April 2, 1926, are hereby extended one and three years, respectively, from April 2, 1927.

SEC. 2. That the act of Congress entitled "An act to authorize the construction of bridges across the Ohio River and to prescribe the dimensions of the same," approved December 17, 1872, and the act supplementary thereto, approved February 14, 1883, are hereby repealed—

And to amend the title so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at Louisville, Ky., and to repeal certain former bridge laws."

Mr. SACKETT. I move that the Senate concur in the amendment of the House.

Mr. CURTIS. What is the amendment?

Mr. SACKETT. The War Department has requested that there be inserted, instead of the engineering features of the original bill, a provision that a certain old act of 1906 be declared to have been repealed. It was repealed, but the actual words were not included in the original measure.

The motion was agreed to.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Utah, which was ordered to lie on the table:

STATE OF UTAH, EXECUTIVE DEPARTMENT, SECRETARY OF STATE'S OFFICE.

I, H. E. Crockett, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of the house Joint Resolution No. 5, by Mr. Hansen, "memorializing the President of the United States requesting the enactment into law of the McNary-Haugen measure for farm relief," as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 24th day of February, 1927.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

House Joint Resolution 5, by Mr. Hansen, memorializing the President of the United States requesting the enactment into law of the McNary-Haugen measure for farm relief.

To the honorable President of the United States, Washington, D. C.:

Your memorialists, the House of Representatives and the Senate of the State of Utah, respectfully request you sign the McNary-Haugen bill giving relief to agriculture.

The foregoing house Joint Resolution No. 5 was publicly read by title and immediately thereafter signed by the president of the senate in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 21st day of February, 1927.

A. B. IRVINE,
President of the Senate.

Attest:

H. L. CUMMINGS,
Secretary of the Senate.

The foregoing house Joint Resolution No. 5 was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 21st day of February, 1927.

S. M. JORGENSEN,
Speaker of the House.

Attest:

E. L. CROPPER,
Chief Clerk of House.

Received from the governor and filed in the office of the secretary of state this 24th day of February, 1927.

H. E. CROCKETT,
Secretary of State.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Immigration:

ASSEMBLY CHAMBER, CALIFORNIA LEGISLATURE, Sacramento, January 21, 1927.

Assembly Joint Resolution 7, chapter 24, relating to an act of Congress of the United States restraining immigration of aliens ineligible to citizenship and a proposed act changing the right to naturalization

Whereas in 1921 the Legislature of the State of California by appropriate resolution urged upon the Congress and Federal administrative and executive officers the necessity for the continued adherence to the policy of the United States restricting the right of citizenship and likewise protested against any attempt by treaty or otherwise to permit the immigration of ineligible aliens; and

Whereas in 1924, after full investigation and consideration, Congress by general law prohibited the immigration of aliens ineligible to citizenship; and

Whereas various organizations have since the passage of said act persistently sought to influence Congress to recede from such policy, and the adherence to said policy has been urged by the American Legion, American Federation of Labor, the Grange, and the Native Sons of the Golden West, the first three of which organizations have annually in their last three conventions by resolutions expressed their continued support of the congressional action; and

Whereas there is now pending in Congress a bill which is directly antagonistic to the general immigration act of 1924 and entirely out of harmony with the national policy on this subject, because said measure—to wit, the Copeland bill, S. 4505—would make eligible to American citizenship 300,000,000 Hindus: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the legislature of this State protests against the passage of said bill and against any character of action designed to modify the present immigration laws and reaffirms its belief that the privilege of American citizenship should continue to be restricted as at present and that the privilege of immigration should be extended only to those people who may become citizens of the United States; and be it further

Resolved, That the Senators and Representatives in Congress from the State of California be urged to present the seriousness of the present situation to the attention of their colleagues and to the departments of the Federal Government and to use all honorable means to prevent modification of the present naturalization and exclusion laws; and be it further.

Resolved, That the chief clerk of the assembly of the State of California be, and he is hereby, authorized and directed to transmit a copy of this resolution to each Member of the Senate and House of Representatives of the United States.

EDGAR C. LEVEY, Speaker.

Attest:

ARTHUR A. OHNIMUS, Chief Clerk.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Minnesota, which was ordered to lie on the table:

A concurrent resolution memorializing the President, the Secretary of State, the Secretary of War, and the Congress of the United States relative to Senate bill No. 3027 and House bill No. 4548

Whereas there is now pending in the Senate of the United States Senate bill No. 3027, known as the Tyson bill, and the same bill is now pending in the United States House of Representatives, designated as House bill No. 4548; and

Whereas both of said bills provide for the retirement of disabled emergency Army officers on equal pay and under the same conditions provided for the retirement of disabled Regular Army officers and disabled emergency officers of the Navy and Marine Corps; and

Whereas all officers disabled in line of duty in the service of the United States during the World War are allowed to be retired on 75 per cent of the pay given their rank at time of disability, except the emergency Army officers disabled in line of duty during the World War; and

Whereas it is simply justice to the officers who served during the emergency of the World War as emergency officers of the United States Army and who were disabled to receive the same benefits accorded disabled emergency officers of the Navy and Marine Corps: Therefore, be it

Resolved by the Senate of the State of Minnesota (the House of Representatives concurring), That the Congress be, and they hereby are, most earnestly requested to give their approval to and pass Senate bill No. 3027, or its companion bill in the House, being House bill No. 4548, or some other measure designed to give relief to said disabled emergency officers as provided in said bills, with such further and additional action toward final approval by the President as may be necessary, and that such action be taken before adjournment of the Congress now sitting; and be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the President, to the Secretary of State, to the Secretary of War, to the President of the Senate, and to the Speaker of the House of Representatives in the Congress, and to each Senator and Representative from the State of Minnesota in the Congress.

W. I. NOLAN,
President of the Senate.
JOHN A. JOHNSON,
Speaker of the House of Representatives.

Passed the senate the 11th day of February, 1927.

GEO. W. PEACHEY,
Secretary of the Senate.

Passed the house of representatives the 15th day of February, 1927.

JOHN I. LEVIN,
Chief Clerk, House of Representatives.

Approved, February 16, 1927.

THEODORE CHRISTIANSON, *Governor.*

Filed, February 17, 1927.

MIKE HOLM, *Secretary of State.*

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the foregoing is a true and correct copy of the resolution, being S. F. No. 515, filed in my office on February 17, 1927.

[SEAL.]

MIKE HOLM, *Secretary of State.*

The VICE PRESIDENT also laid before the Senate a joint memorial of the Legislature of the State of Wyoming, favoring the appropriation of not less than \$500,000 per year for the construction of an irrigation project in Fremont County, Wyo., known as the Riverton project, and so forth, which was referred to the Committee on Irrigation and Reclamation. (A similar memorial was recently printed in full in the RECORD.)

The VICE PRESIDENT also laid before the Senate a joint memorial of the Legislature of the State of Idaho, favoring the passage of pending legislation changing the boundary of the Yellowstone National Park in the vicinity known as Bechler or Fall River Meadows, situated in the southwest corner of the park, with an amendment providing that in changing said boundary lines natural lines be followed and that there be eliminated from said southwest corner an area of about 1,200 acres, which would be sufficient to meet the needs of the people of Fremont and Madison Counties for reservoir purposes, and so forth, which was referred to the Committee on Public Lands and Surveys.

(A similar memorial was recently printed in full in the RECORD.)

The VICE PRESIDENT also laid before the Senate the following telegram from the president of the Senate and speaker of the House of the General Assembly of Iowa, which was ordered to lie on the table:

DES MOINES, IOWA, February 26, 1927.

HON. CHARLES G. DAWES,
United States Senate, Washington, D. C.:

Whereas the President of the United States has seen fit to veto the McNary-Haugen bill, which measure was the final expression of the

best judgment of all of the organizations interested in the advancement of agriculture, and which bill had the approval of both the House and the Senate, as well as the economic scholars and statesmen who have given the matter the closest and most careful and complete study and consideration over a period of years, and which veto was against the wishes of the overwhelming majority of the people in the agricultural sections of the country; and

Whereas any criticism of the bill based upon the assumption that it is opposed to the economic law of supply and demand because it will artificially stimulate production while at the same time decrease consumption is equally applicable to many approved forms of legislation in behalf of commerce, industry, manufacture, and labor, whereby statutory enactments, tariffs, and like, play an important part in economic and national policies; and

Whereas in our opinion the adoption of the principles of the McNary-Haugen bill is the most needed economic legislation for the good of the whole United States that has any time been before the Congress: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Congress of the United States be urged to immediately resubmit the McNary-Haugen bill and to pass the same by the required vote, that it shall become one of the laws of the United States in this session of Congress; and that copies of this resolution be sent by wire to the President of the United States Senate and Speaker of the House of Representatives.

CLEM F. KIMBALL,
President of Senate.

L. V. CARTER,
Speaker of the House.

Adopted by Forty-second General Assembly of Iowa, February 25, 1927.

WALTER H. BEAM,
Secretary of Senate.

A. C. GUSTAFSON,
Chief Clerk of House.

Mr. LA FOLLETTE presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Commerce:

Joint Resolution 15, relating to the Great Lakes-St. Lawrence waterway project

Whereas the prosperity of Wisconsin, as well as the whole of the United States, is in large measure dependent upon lower rates of transportation on agricultural and manufactured products to markets in eastern States and foreign countries; and

Whereas it is possible to secure such lower rates of transportation through the completion of the Great Lakes-St. Lawrence waterway project, which would enable ocean-going vessels to enter the Great Lakes; and

Whereas this project has been repeatedly pronounced by qualified engineers to be practicable in all respects and a good investment from a business point of view, most recently by the joint international board of engineers and by Hon. Herbert Hoover, Secretary of Commerce: Therefore be it

Resolved by the assembly (the senate concurring), That we hereby respectfully urge the Congress of the United States to take immediate action to make possible the early completion of the Great Lakes-St. Lawrence waterway project; and be it further

Resolved, That copies of this resolution, properly signed by the presiding officers of both houses and attested by the chief clerks thereof, be sent to the presiding officers of the Senate and the House of Representatives of the United States and to each Senator and Member of Congress from Wisconsin.

HENRY A. HUBER,
President of the Senate.

O. G. MUNSON,
Chief Clerk of the Senate.

JOHN W. EBER,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE also presented numerous petitions of sundry citizens of the State of Wisconsin, praying for the passage of legislation granting increase in pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. ODDIE presented the following joint resolution of the Legislature of the State of Nevada, which was referred to the Committee on Pensions:

Assembly joint resolution relating to United States pension laws, approved February 17, 1927

Whereas under the existing pension laws of the United States the benefits thereof extend only to those persons who served in the military or naval service of the United States for a prescribed length of time; and

Whereas there are numerous persons in the State of Nevada and other States of the United States who served in the military and naval service of the United States during the various wars for a period less than that prescribed by such pension laws, but who should be entitled to the benefits thereof: Now therefore be it

Resolved by the Senate and the Assembly of the State of Nevada, That the Congress of the United States be, and it is hereby, petitioned and memorialized to pass an act extending the benefits of the pension laws of the United States to all persons who served for any period of time in the military or naval service of the United States during any war and who were honorably discharged from such service; and be it further

Resolved, That the secretary of state of the State of Nevada is hereby directed to forward duly certified copies of this resolution to each of our Senators and Representative in Congress.

MORLEY GRISWOLD,
President of the Senate.
V. R. MERIALDO,
Secretary of the Senate.
DOUG. H. TANDY,
Speaker of the Assembly.
JOHN W. WRIGHT,
Chief Clerk of the Assembly.

STATE OF NEVADA,
Department of State, ss:

I, W. G. GREATHOUSE, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original Assembly Joint Resolution No. 4 now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 19th day of February, A. D. 1927.

[SEAL.]

W. G. GREATHOUSE,
Secretary of State.

Mr. CAMERON presented a communication from the Chamber of Commerce of the State of New York, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

PHILOSOPHY OF EMPIRE BUILDING

USING INTERSTATE DRAINAGE TO CREATE A MONSTER COMMERCIAL ASSET IN PLACE OF WASTING IT IN DESTRUCTIVE FLOODS

After long study, the Chamber of Commerce of the State of New York, the oldest organization of its kind in the New World, has clearly set forth the water and flood problem of the country and has constructively pointed the way to a solution.

This problem touches the pocketbook welfare of the people of every State and of every trade center.

The resolution should be read by every American business man.

It follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK.

At the regular monthly meeting of the Chamber of Commerce of the State of New York held February 3, 1927, the following report and resolutions presented by its committee on internal trade and improvement were unanimously adopted:

CREATION OF A FEDERAL WATERWAYS AND WATER RESOURCES COMMISSION FAVORED

To the Chamber of Commerce:

A bill (H. R. 5025) has been introduced in Congress to create a waterways and water resources commission. This commission is to consist of a chairman, of the Secretaries of War, Interior, Agriculture, a member selected from the Senate, and one from the House. An additional member is to be an economist and expert in matters relating to waterways and water resources as they affect agricultural, commercial, and industrial development. Provision is made for the commission to utilize in its work the various agencies of the Government. To this end, rules and regulations are to be drawn up to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several Government departments. To facilitate such cooperation, a water control board is authorized, which is to consist of the chairman of the commission, an Army engineer, a hydraulic engineer, and a hydroelectric engineer, the last two selected from civil life.

The chamber adopted a report several years ago which advocated the desirability of Congress creating a Federal commission of this sort and the formulation and adoption of a national policy in respect to the utilization and conservation of rainfall. The preservation and development of important national resources have been much handicapped from the lack of such a policy, based on sound scientific and economic principles.

Water conservation should be removed as far as possible from politics. It should endeavor to coordinate Federal and State jurisdiction, as well as the various economic, commercial, and financial interests involved.

Your committee on internal trade and improvements believes this bill presents a practical measure for accomplishing this end.

The commission to be created by this measure is to study questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce. This study is to include "the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage and conservation of water for agricultural, industrial, municipal, and domestic uses, cooperation of railways and waterways, and promotion of terminal and transfer facilities."

The bill provides specifically for making a complete and comprehensive plan for the control of floods and the application of the now wasted flood waters in the watersheds of the Mississippi, Missouri, and Ohio Rivers. The chamber has called upon Congress a number of times during the last 50 years to take steps to remedy the losses from these floods. Along these rivers there has been large and frequent property damage and even great loss of life on a number of occasions. With proper water control this national waste should be largely eliminated. At the same time soil erosion would be checked. Erosion has greatly reduced the depth of top soil in our agricultural districts, and thus materially increased the cost of producing crops.

In view of these considerations your committee offers the following resolutions:

Resolved, That the Chamber of Commerce of the State of New York favors the passage of bill H. R. 5025, or a similar measure, to create a Federal water-conservation commission to study the utilization and conservation of rainfall, and prepare a national policy in respect thereto, in order that the surplus drainage of the country may not result in floods or otherwise be wasted, but may be controlled for use in irrigation, water power, inland waterways, etc., to the great benefit of agricultural, commercial, and national welfare; and be it further

Resolved, That copies of this report and resolutions be sent to the President and Members of Congress.

Respectfully submitted.

R. A. C. SMITH, *Chairman,*
CHARLES H. SIMMONS,
HERBERT L. DILLON,
FRANK PRESBREY,
FRANCIS H. SISSON,
JOHN W. LIEB,
DAVID C. BALL,

Committee on Internal Trade and Improvements.

WILLIAM L. DE BOST,

President.

CHARLES T. GWYNNE,

Executive Vice President.

Attest:

JERE D. TOMBLYN, *Secretary.*

NEW YORK, February 3, 1927.

Mr. KENDRICK presented the following joint memorial of the Legislature of the State of Wyoming, which was referred to the Committee on Irrigation and Reclamation:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,

State of Wyoming, ss:

I, A. M. CLARK, secretary of state of the State of Wyoming, do hereby certify that the annexed is a full, true, and correct copy of the enrolled Joint Memorial No. 4, House of Representatives of the Nineteenth Legislature of the State of Wyoming, being original house Joint Memorial No. 4, as approved by the Governor of the State of Wyoming.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 24th day of February, A. D. 1927.

[SEAL.]

A. M. CLARK,
Secretary of State.
By H. M. SYMONS,
Deputy.

Enrolled Joint Memorial 4, House of Representatives, Nineteenth Legislature of the State of Wyoming, memorializing the Congress of the United States to consider additional reclamation projects in Wyoming and voicing protest against announced policy of the Interior Department concerning new projects.

Be it resolved by the House of Representatives of the State of Wyoming (the Senate concurring), That the Congress of the United States be memorialized as follows:

Whereas the United States of America, through its Bureau of Reclamation, is now engaged upon the construction of many reclamation projects by the irrigation of lands in the arid West; and

Whereas there has accrued to the reclamation fund, which is used for the construction of such reclamation projects, a sum of approximately \$30,000,000 by reason of the development of lands and mineral

resources exclusively within the boundaries of the State of Wyoming; and

Whereas less than \$18,000,000 has been expended by the Bureau of Reclamation for reclamation works of benefit to the State of Wyoming although said State is the largest contributor at this time to the reclamation fund and will so continue for some time to come; and

Whereas the development of resources of this State, particularly that of petroleum, has caused the founding of substantial communities and the building of towns and cities of permanent and excellent improvements; and

Whereas certain feasible reclamation projects exist in the vicinity of the communities, towns, and cities which have been largely founded by reason of the development of petroleum resources, specific instances being the proposed Casper-Alcova project and the Saratoga project upon the North Platte River; and

Whereas the development of such projects would afford valuable additions to the agricultural areas of the State, and would at the same time prevent the heavy economic losses that will result unless something is provided to replace the decrease in activities due to the depleting petroleum resources, and the matter is therefore of interest not only to the State of Wyoming but to the country at large: Now therefore be it

Resolved, That the Legislature of the State of Wyoming, as representatives of the entire citizenship of the State, respectfully invoke the favorable consideration of Congress to additional reclamation projects in Wyoming to the end that plans may be made and appropriations provided for the actual construction of the same; be it further

Resolved, That this legislature voice its most vigorous protest to the announced policy of the Interior Department, so far as the application of the policy to Wyoming is concerned, whereby it is proposed that no new reclamation projects shall be undertaken for a period of some 10 years, this protest being founded upon our sincere belief that such a policy would be most unfair to the State of Wyoming under the circumstances that exist; be it further

Resolved, That a copy of this memorial be sent to each of the Representatives of this State in Congress, to the Secretary of the Interior, to the Commissioner of Reclamation, and to the President of the United States, with the urgent request that the most serious consideration be given to same.

PERRY W. JENKINS,
President of the Senate.
A. W. MCCOLLOUGH,
Speaker of the House.

Approved 9.15 p. m., February 23, 1927.

FRANK C. EMERSON, Governor.

Mr. CAPPER presented a petition of sundry citizens of Burr Oak, Kans., praying for the withdrawal of the United States marines from Nicaragua and the settlement of controversies with Nicaragua and Mexico by arbitration, which was referred to the Committee on Foreign Relations.

Mr. BRUCE presented petitions of sundry citizens of Cumberland, Md., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. COPELAND presented numerous petitions of sundry citizens of the State of New York, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. SHEPPARD presented petitions of sundry citizens of Dallas and Brazoria County, in the State of Texas, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. DILL presented petitions of sundry citizens of the State of Washington, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Spokane and Colville, in the State of Washington, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday or any other legislation religious in character, which were referred to the Committee on the District of Columbia.

Mr. STEWART presented petitions of sundry citizens of the State of Iowa, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. NEELY presented a petition of sundry citizens of the State of West Virginia, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

Mr. FERRIS presented numerous petitions of sundry citizens of the State of Michigan, praying for the prompt passage

of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented numerous memorials of sundry citizens of the State of Michigan, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday or any other legislation religious in character, which were referred to the Committee on the District of Columbia.

Mr. DENEEN presented petitions numerous signed by sundry citizens of Urbana, Sesser, Chicago, and other cities and towns in the State of Illinois, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. WILLIS presented numerous petitions of sundry citizens of the State of Ohio, praying for the prompt passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Steubenville, Ohio, praying for the immediate disposition of the Muscle Shoals problem, for the operation of the nitrate and power plants in a definite way that will be to the interest of the American farmer and the people as a whole, etc., and commending the offer of the American Cyanamide Co. and the Farmers' Federated Fertilizer Co. relative to the Muscle Shoals plant, which was referred to the Committee on Agriculture and Forestry.

BUREAUS OF CUSTOMS AND PROHIBITION

Mr. REED of Pennsylvania. I wish to have filed and considered as read certain amendments to the reorganization bill on which cloture will be voted at 1 o'clock.

Mr. BRUCE. I ask the Senator from Pennsylvania what the amendments are?

Mr. REED of Pennsylvania. They are certain amendments recommended by the department—changes of phraseology but not of substance.

Mr. BRUCE. By what department?

Mr. REED of Pennsylvania. By the Treasury Department. The VICE PRESIDENT. Without objection, the amendments will be considered as having been read, and they will lie on the table and be printed in the RECORD.

The amendments offered by Mr. REED of Pennsylvania are as follows:

Proposed amendments to the reorganization bill, H. R. 10729, by Mr. REED of Pennsylvania

On page 2, line 3, after the comma after the word "Treasury," insert "without regard to the civil service laws,"

On page 2, beginning with line 5, strike out through line 17 (including the amendment adopted by the Senate, as in Committee of the Whole, on February 14), and insert in lieu thereof the following:

"Sec. 2 (a). The Secretary of the Treasury is authorized to appoint, in each of the bureaus established by section 1, one assistant commissioner, two deputy commissioners, one chief clerk, and such attorneys and other officers and employees as he may deem necessary. One of the deputy commissioners of the Bureau of Customs shall have charge of investigations. Appointments under this subdivision shall be subject to the provisions of the civil service laws, and the salaries shall be fixed in accordance with the classification act of 1923."

On page 3, beginning with line 3, strike out through line 10, and insert in lieu thereof the following:

"(c) The personnel of the bureau of prohibition shall perform such duties as the Secretary of the Treasury or the commissioner of prohibition may prescribe, and the personnel of the Bureau of Customs shall perform such duties (other than duties in connection with the administration of the national prohibition act, as amended, or any other law relating to the enforcement of the eighteenth amendment) as the Secretary of the Treasury or the commissioner of customs may prescribe."

On page 3, line 15, after the word "into," insert a comma and the following: "or the exportation of merchandise from,"

On page 4, beginning with line 12, strike out through line 18, and insert in lieu thereof the following:

"(b) The Secretary of the Treasury is authorized to confer or impose any of such rights, privileges, powers, and duties upon the commissioner of prohibition, or any of the officers or employees of the bureau of prohibition; and to confer or impose upon the Commissioner of Internal Revenue, or any of the officers or employees of the Bureau of Internal Revenue, any of such rights, privileges, powers, and duties which, in the opinion of the Secretary, may be necessary in connection with internal revenue taxes."

On page 5, line 3, after the word "appear," insert "in the bureau of prohibition."

On page 5, line 11, before the period, insert "or as soon thereafter as a successor eligible for appointment, under the provisions of the civil service laws, may be appointed."

On page 5, line 19, strike out "July 1, 1926" and insert in lieu thereof "April 1, 1927."

APPLICATION OF CLOTURE RULE

Mr. EDWARDS. Mr. President, a parliamentary inquiry. Is the first cloture to be voted on to-day the one applying to the public buildings bill?

The VICE PRESIDENT. The Senator is correct.

Mr. EDWARDS. On Saturday last the Chair gave an opinion, or a ruling, as follows:

A session of the Senate will be held on to-morrow—

That is, on Sunday—

for memorial services; and inasmuch as the rule for cloture reads "one hour after the Senate meets on the following calendar day but one," and so forth, a literal construction of the rule would require the cloture motion to be laid before the Senate on Monday next instead of Tuesday.

Is that literal construction to be used by the Chair to-day? If yesterday was a calendar day and it is to be used as a calendar day, then why should not the motion for cloture have been voted on yesterday?

The VICE PRESIDENT. The Chair will inform the Senator why:

Rule XXII provides that "one hour after the Senate meets on the following calendar day but one he [the Presiding Officer] shall lay the [cloture] motion before the Senate," and so forth. A strict and literal compliance with this rule would in the ordinary course have required the Presiding Officer to lay before the Senate one hour after it met on yesterday (Sunday) the cloture motion presented on the public buildings bill on Friday last. However, the resolutions authorizing the holding of the session on yesterday provided that the day be set aside for a specific purpose, namely, memorial services for the late Senators Cummins and McKinley. Moreover, the resolutions submitted on yesterday, which were adopted by unanimous votes, contained provisions that the business of the Senate be suspended, and, being adopted before 1 o'clock, had the practical effect of suspending Rule XXII and acted as an estoppel upon the Presiding Officer to lay the motion before the Senate at that time.

Mr. EDWARDS. That means that the rules may be variously interpreted, it would seem to me.

Mr. ROBINSON of Arkansas. Mr. President, I feel that it is my duty to say in this connection that I think the interpretation placed on the rule and the application given it by the Chair are correct.

The Senate assembled yesterday by virtue of a resolution unanimously agreed to for the purpose of paying tribute to the memory of two former Senators who have departed this life. No other business could be transacted without violating the uniform precedents and practice of the Senate extending over a period of many years. It would have been unseemly, in the midst of the addresses relating to the life, character, and public services of a departed Senator, to have interrupted those proceedings for the purpose of calling the roll of the Senate to secure the attendance of a quorum. The inevitable result would have been that no quorum would have responded and the arrangement agreed to unanimously would have been terminated. It would have prevented the conclusion of the proceedings relating to former Senators Cummins and McKinley, and in view of the precedents and practice of the Senate, I think the ruling is correct.

Mr. BINGHAM. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BINGHAM. Are there two cloture petitions now pending before the Senate and do we vote on both to-day?

The VICE PRESIDENT. Both cloture petitions, the Chair is advised, will come up to-day.

Mr. BINGHAM. Were they offered on the same day?

The VICE PRESIDENT. They were not.

Mr. BINGHAM. How, then, can they both come up to-day?

The VICE PRESIDENT. For the reason the Chair has stated in the ruling just made. There was no recourse for the Chair except to lay the motions down to-day.

Mr. BINGHAM. Then on one cloture petition the Chair rules that Sunday is a calendar day and on the other cloture petition he rules that it is not a calendar day.

The VICE PRESIDENT. Not at all. The Chair stated to the Senate the reason for it, if the Senator had listened.

Mr. BINGHAM. The Senator is not making any objection whatever to the failure of the Chair to lay the cloture petition before the Senate on yesterday.

The VICE PRESIDENT. The Chair explained why he did not lay it before the Senate on yesterday. It is because the resolutions submitted for the session on yesterday were adopted by unanimous consent and containing a provision that the business of the Senate be suspended had the practical effect of suspending Rule XXII and acted as an estoppel upon the Presiding Officer to lay the motion before the Senate at that time.

Mr. BINGHAM. As a parliamentary inquiry, may I ask if the Chair does not think that Sunday ought not to be counted as a calendar day in laying before the Senate a cloture petition?

The VICE PRESIDENT. If there is no session on Sunday it is not counted as a calendar day. If there is a session, it is so counted.

Mr. SWANSON. Mr. President, I call for the regular order.

INVESTIGATION OF CAMPAIGN EXPENDITURES

Mr. GOFF. Mr. President, I submit a supplemental report (No. 1197, part 5) from the special committee investigating campaign expenditures in senatorial primaries and general elections, and ask to have the same printed and placed upon the desk of each of the Members of this body to-morrow morning.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the resolution (S. Res. 366) to investigate and study conditions and policies bearing upon the relationship between the Central American countries, Mexico, and the United States, reported with amendments and submitted a report (No. 1647) thereon. On motion of Mr. BORAH the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. McLEAN, from the Committee on Finance, to which was referred the bill (S. 5814) authorizing certain importers of sugar into the United States from the Argentine Republic during the year 1920 to submit claims to the Court of Claims, reported it without amendment.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 11658) to amend section 523 of the tariff act of 1922, reported it with an amendment, and submitted a report (No. 1650) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 5580) authorizing the extension of the park system of the District of Columbia, reported it without amendment and submitted a report (No. 1651) thereon.

He also, from the same committee, to which was referred the bill (S. 5719) authorizing the acquisition of a site for and the construction of a new building for the recorder of deeds, the municipal court, the juvenile court, and for other purposes, reported it with an amendment and submitted a report (No. 1652) thereon.

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 16336) for the relief of Robert F. Neeley and Franklin E. Neeley (Rept. No. 1653); and

A bill (H. R. 16957) granting patent to O. E. Moore (Rept. No. 1654).

Mr. HARRELD, from the Committee on Indian Affairs, to which was referred the bill (S. 4998) to provide a water system for the Indians of the Reno-Sparks Indian Colony, Nev., reported it without amendment and submitted a report (No. 1655) thereon.

He also, from the same committee, to which was referred the bill (H. R. 16074) to amend section 2 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,'" reported it with amendments and submitted a report (No. 1656) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 16845) to amend section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes,'" reported it without amendment and submitted a report (No. 1657) thereon.

Mr. STEWART, from the Committee on Patents, to which was referred the bill (S. 4927) providing for the extension of the time limitations under which patents were issued in the case of persons who served in the military or naval forces of the United States during the World War, reported it with amendments and submitted a report (No. 1658) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 5546) to amend section 10 of the plant quarantine act, approved August 20, 1912, reported it without amendment and submitted a report (No. 1659) thereon.

Mr. METCALF, from the Committee on Patents, to which was referred the bill (S. 5795) to amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, reported it with an amendment and submitted a report (No. 1660) thereon.

Mr. SHORTRIDGE, from the Committee on Finance, to which was referred the bill (S. 5801) to conserve the revenues from medicinal spirits and provide for the effective Government control of such spirits, to prevent the evasion of taxes, and for other purposes, reported it without amendment and submitted a report (No. 1668) thereon.

Mr. NYE, from the Committee on Territories and Insular Possessions, to which was referred the joint resolution (H. J. Res. 243) for the relief of special disbursing agents of the Alaskan Engineering Commission or of the Alaska Railroad, reported it without amendment and submitted a report (No. 1670) thereon.

He also, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 2849) for the relief of the heirs of Russell J. Norton (Rept. No. 1672); and

A bill (H. R. 11929) authorizing the Secretary of the Interior to sell to Leroy Stafford certain lands situate in Rapides Parish, La. (Rept. No. 1673).

Mr. DILL, from the Committee on Irrigation and Reclamation, to which was referred the resolution (S. Res. 349) authorizing an investigation of the Columbia Basin project, reported it without amendment and submitted a report (No. 1671) thereon.

On motion of Mr. DILL the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. KING, from the Committee on the Judiciary, to which was referred the resolution (S. Res. 347) to inquire into the right of Thomas M. Reed to serve as United States district judge for the first district of Alaska, reported it without amendment.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the resolution (S. Res. 354) relative to the stabilization during periods of business depression of employment and industry by the construction of public works, reported it with amendments and moved that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the resolution (S. Res. 374) to investigate charges that certain lands ceded by Mexico to the United States were unlawfully turned over to and are held by private interests, reported it without amendment and moved that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. ODDIE, from the Committee on Irrigation and Reclamation, reported an amendment intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, as follows:

Under the Department of the Interior, Bureau of Indian Affairs, insert at the proper place the following:

"For the construction of a dam and appurtenant structures in Schurz Canyon, on the Walker River, Nev., for the purchase or acquisition of lands and rights of way, and for other necessary expenditures in connection therewith, to provide water for irrigation purposes, \$280,000."

STABILIZATION OF EMPLOYMENT AND INDUSTRY

Mr. JONES of Washington. From the Committee on Commerce I report back favorably with certain amendments Senate Resolution 354, and ask that in accordance with the rule it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be so referred.

REPORT OF THE NEAR EAST RELIEF

Mr. PEPPER, from the Committee on Printing, submitted a resolution (S. Res. 377) as follows:

Resolved, That the "Report of the Near East Relief for the year ending December 31, 1926," be printed as a Senate document.

CANCELLATION OF A SCREEN-WAGON CONTRACT

Mr. MOSES. From the Committee on Post Offices and Post Roads I report back favorably without amendment the bill (H. R. 15905) to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes. I call the attention of the Senator from Mississippi [Mr. STEPHENS] to the report, because unanimous consent should be given for its present consideration.

Mr. STEPHENS. I ask for the present consideration of the bill.

Mr. BRUCE. I should like to know what it is.

Mr. MOSES. It is the ordinary form of legislation to relieve a contractor in the Postal Service. It is a type of legislation which has been frequently had here.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That if the Postmaster General finds that any formal written contract now in force for transporting the mails in the city of Jackson, in the State of Mississippi, in regulation screen vehicles was entered into before the present unusual expansion of business and increase in cost for such service, and that the contract price agreed to be paid for the service to be rendered thereunder is now inequitable and unjust because of the increased cost and expense occasioned the contractor in handling the unusual volume of mail incident to the expansion of business, the Postmaster General is authorized, in his discretion, with the consent of the contractor and his bondsmen, to cancel such contract.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRIDGE BILLS

Mr. STEWART. From the Committee on Commerce, I report back various House bridge bills, which are in the usual form and unanimously recommended by the committee. I ask unanimous consent for their present consideration.

There being no objection, the following House bridge bills, reported by Mr. STEWART from the Committee on Commerce without amendment, and with the reports indicated, were considered as in Committee of the Whole, read the third time, and passed:

H. R. 17264. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.;

H. R. 17128. An act granting the consent of Congress to the State of Indiana, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, and permitting the State of Kentucky to act jointly with the State of Indiana in the construction, maintenance, and operation of said bridge (Rept. No. 1662);

H. R. 15129. An act granting the consent of Congress to the Indiana Bridge Co. to construct, maintain, and operate a bridge across the Ohio River at Evansville, Ind. (Rept. No. 1663);

H. R. 16282. An act granting the consent of Congress to the Nebraska-Iowa Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River (Rept. No. 1664);

H. R. 16685. An act granting the consent of Congress to the Carrollton Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Ohio River between Carrollton, Carroll County, Ky., and a point directly across the river in Switzerland County, Ind. (Rept. No. 1665);

H. R. 16770. An act granting the consent of Congress to the Starr County Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande River (Rept. No. 1661); and

H. R. 14930. An act granting the consent of Congress to the H. A. Carpenter Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the town of St. Marys, Pleasants County, W. Va., to a point opposite thereto in Washington County, Ohio (Rept. No. 1666).

MISSISSIPPI RIVER BRIDGE, HENNEPIN, MINN.

Mr. STEWART. From the Committee on Commerce, I report back with amendments the bill (S. 5788) to extend the time for constructing a bridge across the Mississippi River between the city of Anoka, in the county of Anoka, and the village of Champlin, in the county of Hennepin, State of Minnesota, and I submit a report (No. 1667) thereon. I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, in line 3, before the word "for," to strike out "time" and insert "times"; in line 5, after the word "built," to insert "by the highway department of the

State of Minnesota"; in line 8, before the word "hereby," to strike out "is" and insert "are"; in the same line, before the word "three," to strike out "for" and insert "one and"; in the same line, before the word "from," to insert a comma and the word "respectively"; in line 9, to strike out "the date of approval hereof" and insert "May 7, 1927,"; and in line 11, after the word "is," to insert "hereby," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved May 7, 1926, to be built by the highway department of the State of Minnesota across the Mississippi River between the city of Anoka, Anoka County, State of Minnesota, and the village of Champlin, county of Hennepin, State of Minnesota, are hereby extended one and three years, respectively, from May 7, 1927.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGE ACROSS MOUNT HOPE BAY, R. I.

Mr. STEWART. From the Committee on Commerce I report back with amendments the bill (H. R. 10465) granting the consent of Congress to the State of Rhode Island or to such corporation as the State of Rhode Island may grant a charter to construct a bridge across Mount Hope Bay at the mouth of the Taunton River between the towns of Bristol and Portsmouth, in Rhode Island, and I submit a report (No. 1689) thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, to strike out all after the enacting clause and in lieu thereof to insert the following:

That the consent of Congress is hereby granted to the Mount Hope Bridge Co., a corporation of the State of Rhode Island, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Mount Hope Bay, at a point suitable to the interests of navigation, between the town of Bristol, in Bristol County, R. I., and the town of Portsmouth, in Newport County, R. I., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Rhode Island, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 25 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Rhode Island under the provisions of section 2 of this act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 25 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The Mount Hope Bridge Co., its successors, and assigns shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said Mount Hope Bridge Co., its successors, and assigns shall make available all of its records in connection with the financing and the construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Mount Hope Bridge Co., its successors, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the Mount Hope Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across Mount Hope Bay between the towns of Bristol and Portsmouth, in Rhode Island."

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on February 28, 1927, that committee presented to the President of the United States the following enrolled bills:

S. 179. An act for the relief of J. W. Neil;

S. 244. An act for the relief of Elizabeth W. Kieffer;

S. 2085. An act to correct the naval record of John Cronin; and

S. 2348. An act for the relief of Nick Masonich.

TESTIMONY OF DR. J. PARKER WILLIS

Mr. KING. Mr. President, I inquire of the chairman of the Committee on Banking and Currency [Mr. McLEAN], if I may have his attention, if his committee has made a request for the printing of the testimony given by Dr. J. Parker Willis and the data which he furnished when the McFadden bill was before the committee?

Mr. McLEAN. The committee has made no such request, I understand.

Mr. KING. The Senator from Virginia [Mr. GLASS], I know, is desirous of it, and I understood that the chairman of the committee was and the Senator from Pennsylvania [Mr. PEPPER], as a member of the committee.

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. KING. Certainly. I did not see the Senator; I beg his pardon.

Mr. PEPPER. The fact with regard to the matter is that the cost involved in the printing is so considerable that we have made a request upon the Public Printer to furnish us with an estimate separating the text from the elaborate statistical matter; and upon the coming-in of that estimate, which I expect to-day, I shall hope to engage the attention of the chairman of the committee with a view to making a recommendation.

Mr. KING. I should like to say to the Senator that I have had perhaps 500 requests for those data from various business associations and bankers. There seems to be a widespread desire to obtain the data, and I am sure that if they are available many thousands of dollars will be saved to the country which otherwise would be required to make investigations to ascertain the facts contained in that report.

Mr. PEPPER. I have every reason to believe that the Committee on Printing will have a report on the subject which will be acceptable to the Senator.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORBECK:

A bill (S. 5823) creating the Mount Rushmore memorial commission, and authorizing it to have sculptured on Mount Rush-

more a memorial in heroic figures commemorative of our national history and progress; to the Committee on the Library.

By Mr. KING:

A bill (S. 5824) to limit the period for which an officer appointed with the advice and consent of the Senate may hold over after his term shall have expired; to the Committee on the Judiciary.

By Mr. ODDIE:

A bill (S. 5825) to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended; to the Committee on Mines and Mining.

CHANGE OF REFERENCE

On motion of Mr. STANFIELD, the Committee on Public Lands and Surveys was discharged from the further consideration of the bill (H. R. 16597) to correct the military record of Charles Robertson, and it was referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1928, and for other purposes.

AMENDMENTS TO SECOND DEFICIENCY APPROPRIATION BILL

Mr. BINGHAM submitted an amendment intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for 1927, which was referred to the Committee on Appropriations and ordered to be printed as follows:

On page 23, after line 11, to insert:

"To carry out the provisions of the act entitled 'An act authorizing an appropriation for public highways in the Virgin Islands of the United States,' approved February 25, 1927, \$100,000."

Mr. SHORTRIDGE submitted an amendment proposing to appropriate \$1,000,000 for the protection of Government-owned and privately owned lands and property in the Palo Verde and the Imperial Valleys, in the State of California, and elsewhere along the Colorado River within the limits of the United States, against imminent injury or destruction by threatened flood waters of the Colorado River by reason of changes in the channels and bed of said river, etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for 1927, which was referred to the Committee on Irrigation and Reclamation and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate \$1,105,000 to reimburse the city of Miami, Fla., the balance advanced by said city to the Secretary of War for improvement of Miami Harbor, etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CAMERON submitted an amendment proposing to pay William H. Gehman \$640 for services rendered the Senate or committees thereof, intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. HALE submitted an amendment intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page —, line —, insert the following:

"BUREAU OF AERONAUTICS

"Aviation, Navy: Toward the construction of buildings and improvements at air stations as follows: Coco Solo, Canal Zone, \$632,000; Sand Point, Wash., \$210,000; San Diego, Calif., \$380,000; Hampton Roads, Va., \$640,000; in all, \$1,862,000, to remain available until June 30, 1928."

He also submitted an amendment proposing to appropriate \$3,500,000 toward the construction and development of an ammunition depot at Hawthorne, Nev., etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$6,575,000 toward the alteration and repair required for the purpose of modernizing the U. S. S. *Oklahoma* and *Nevada*, etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the year 1927, which

was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$9,000,000 for an additional amount on account of hulls and outfits, under the "Increase of the Navy," etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$300,000 for an additional amount toward aircraft and aircraft accessories for aircraft carriers heretofore authorized, etc., intended to be proposed by him to House bill 17291, the second deficiency appropriation bill for the fiscal year 1927, which was referred to the Committee on Appropriations and ordered to be printed.

HARRY CONKLIN

On motion of Mr. WALSH of Montana, it was

Ordered, That the papers accompanying the bill (S. 880) granting a pension to Harry Conklin be withdrawn from the files of the Senate, no adverse report having been submitted thereon.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on February 26, 1927, the President approved and signed the following acts and joint resolution:

S. 1515. An act to extend the benefits of the employees' compensation act of September 7, 1916, to Daniel S. Glover;

S. 1860. An act for the relief of F. G. Proudfoot;

S. 2615. An act to amend paragraph (1) of section 22 of the interstate commerce act by providing for the carrying of a blind person, with a guide, for one fare;

S. 2899. An act for the relief of the owner of the American steamship *Almirante* and owners of the cargo laden aboard thereof at the time of her collision with the U. S. S. *Hisko*;

S. 4974. An act to amend and reenact an act entitled "United States cotton futures act," approved August 11, 1916, as amended;

S. 5699. An act relating to the admission of candidates to the Naval Academy; and

S. J. Res. 156. Joint resolution authorizing the Secretary of War to lend tents and camp equipment for the use of the reunion of the United Confederate Veterans, to be held at Tampa, Fla., in April, 1927.

REPORT OF THE DIRECTOR GENERAL OF RAILROADS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Interstate Commerce:

To the Congress of the United States:

I transmit herewith for the information of the Congress the report of the Director General of Railroads from January 1, 1926, to January 1, 1927.

CALVIN COOLIDGE.

THE WHITE HOUSE, February 28, 1927.

[NOTE: Report accompanied similar message to the House of Representatives.]

SUPPLEMENTAL ESTIMATES OF APPROPRIATION

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims and requiring an appropriation for their payment, in total amount \$6,447,636.49, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed (S. Doc. 219).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a record of judgment rendered against the Government by the United States District Court, under the public vessels act (under the Department of Commerce, \$1,834.75), which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed (S. Doc. No. 220).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting a proposed draft of legislation affecting an existing appropriated fund, the "Navy pension fund," under control of the Navy Department, authorizing payments therefrom in the amount of \$127.22 to the legal representatives of deceased men of the Marine Corps in accordance with law, which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed (S. Doc. No. 221).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments to pay claims for damages to privately owned property in the sum of \$1,060.75, which have been considered and adjusted under the provisions of the several acts of Congress relating thereto, etc., which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed (S. Doc. No. 222).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, schedules of claims amounting to \$42,777.72, allowed by various divisions of the General Accounting Office, etc., under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of law, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (S. Doc. No. 217).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, record of judgment rendered against the Government by the United States District Court for the Southern District of New York and requiring an appropriation for its payment (under the War Department) in amount \$1,600, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (S. Doc. No. 218).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department, fiscal year 1927, to remain available until expended, for construction of buildings, utilities, and appurtenances at military posts, in amount \$5,080,000, which, with accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (S. Doc. No. 223).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department, fiscal year 1928, pertaining to the Federal Farm Loan Board, in amount \$15,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (S. Doc. No. 225).

The VICE PRESIDENT also laid before the Senate a communication from the President of the United States transmitting a supplemental estimate of appropriation for the Department of Agriculture, for the fiscal year 1927, to remain available until June 30, 1928, to provide a refuge and feeding and breeding grounds for migratory wild fowl at Bear River Bay, and vicinity, Utah, in amount \$350,000, which, with accompanying papers, was referred to the Committee on Appropriations and ordered to be printed (S. Doc. No. 224).

THE INDUSTRIALIZATION OF SOUTH CAROLINA

Mr. BLEASE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the South Carolina Gazette, of Columbia, S. C., entitled "The industrialization of South Carolina."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INDUSTRIALIZATION OF SOUTH CAROLINA

[Department of rural social science, University of South Carolina]

In 1926 the total value of the principal crops raised in South Carolina was \$132,174,000. This was a decline of \$18,869,000 from last year and \$29,911,000 from 1924.

Contrasted with this decrease in crop values we find that the value of manufactured products advanced from \$296,524,085 in 1924 to \$317,857,153 in 1925 and to \$322,851,975 in 1926. To-day we find accordingly that our total industrial output is valued at \$190,677,975 more than our total crop wealth.

A sound industrial development has so stabilized our economic life that "to-day we may securely say, what could not have been said at any other time during the last 70 years, that no cotton slump can retard the progress of South Carolina more than locally and temporarily."

TEN-YEAR GAINS

Ten years ago the total capital invested in industry was \$159,865,232. In 1926 this had increased to \$308,651,800—a gain of 92.4 per cent. The total number of wage earners advanced from 81,845 to 99,757, or 21.8 per cent. These employees received \$66,165,462 in 1926, as contrasted with \$27,749,563 in 1916, an increase here of 135.6 per cent. The value of the annual product rose from \$168,617,788 in 1916 to \$322,851,975 in 1926. This was an increase of 91.4 per cent.

Among the various industries the following showed substantial gains in the value of the annual product: Rubber seals and stamps,

with an increase of 3,008.5 per cent; glass, 322.8 per cent; confectioneries, 237.2 per cent; bakery products, 2,222.5 per cent; electricity, 197.5 per cent; fertilizers, 192.4 per cent; brick and tile, 156.8 per cent; ice, 155 per cent; clothing, 131.2 per cent; canneries, 127.4 per cent; coffins and caskets, 124.9 per cent, and textiles, 117.1 per cent.

Among the major industries showing losses over the 10-year period flour and grist mills fell off 17.6 per cent, oil mills suffered a 21.3 per cent slump, while tobacco and cigars declined 0.6 per cent.

Minor industries with a decrease in the value of the annual products include furniture and woodwork, harness and leather, turpentine and rosin, monuments and stone, and patent medicines.

COMPARISONS WITH 1925

In 1925 the value of the annual product of all industries was \$317,857,173. Last year this had increased to \$322,851,975—a gain of \$4,994,802. The capital invested in 1925 was \$299,309,408. This had increased to \$308,651,800 in 1926—an increase of \$9,342,392.

In 1921 the value of the annual products was for the first time in the history of South Carolina industry less than the capital invested. This was the great year of deflation, and industry throughout the State suffered heavily. Nevertheless, the recovery was rapid and sound. In 1925 the value of the annual products exceeded the capital invested by \$18,547,765. In 1926 there was a considerable increase in capital investment (\$9,342,392). Even so, the value of the annual products exceeded the investment by \$13,799,825. These gains in returns over investments indicate rather clearly the second development of industries in this State.

MAJOR INDUSTRIES

For 1926 there were 11 industries having a capital investment of over \$1,000,000, while 16 had their annual products evaluated above that mark.

Of these latter, the five leading industries were textiles, lumber and timber products, electricity, oil mills, and fertilizers.

The capital investment for these five major industries was \$287,587,150. This represented 93.1 per cent of the total investment for all manufactures. The value of their annual products was \$289,813,704, or 89.7 per cent of the value of the products of all industries.

TEXTILES

Textiles represent a capital investment of \$192,229,505, or 62.2 per cent of the total for all manufactures, and an annual product valued at \$237,731,775, or 73.6 per cent of the total. Nearly three-fourths of all factory workers are employed in textile plants and they receive approximately three-fourths the total wages paid all industrial employees in South Carolina.

Textiles increased 117.1 per cent in the value of annual products during the past decade and are now realizing substantially on previous investments.

More than 65 per cent of cotton goods manufactured in the United States are worked up in the South and South Carolina has a large proportion of this work.

According to the 1925 United States statistical abstract, South Carolina ranks third in the Union in the number of cotton spindles in place, Massachusetts leads with 11,597,000, North Carolina next with 5,982,000, and South Carolina follows with 5,321,000. On the basis of spindle activities for 1925, North Carolina comes first with 19,607,000 spindle-hours. Massachusetts second with 18,666,000, and South Carolina a close third with 18,007,000. Again on the basis of cotton consumed during the year (linters excepted), North Carolina led with 1,335,000 bales, South Carolina came next with 1,030,000, Georgia third with 966,000 bales, and Massachusetts fourth with 951,000.

Recent industrial reports name 11 cities in the South having more than 200,000 spindles each within a 25-mile radius. Spartanburg, S. C., tops them all with 2,326,172 spindles, followed by Gastonia, N. C., with 2,104,926, Charlotte, N. C., third with 2,032,702, and Greenville, S. C., fourth with 1,918,286 spindles.

For the same radius Spartanburg leads in the number of looms with 59,433, followed by Greenville, S. C., with 46,645 and Charlotte, N. C., with 24,378.

LUMBER AND TIMBER PRODUCTS

This industry ranks second in South Carolina on the basis of capital investment and returns. The investment for 1926 was \$12,131,488, while the value of the annual product was \$17,620,416.

The production of lumber in South Carolina advanced from 199,000,000 board feet in 1889 to 1,070,000,000 in 1923, falling off to 878,000,000 in 1924. At this time South Carolina ranked thirteenth among the States. During the past 10 years lumber and timber products gained in value 39.3 per cent. Timber is one of our greatest natural resources in South Carolina, and if we learn to protect the growth from fires, cut less wastefully, and replant more extensively, then this phase of our industrial life will continue to develop soundly.

ELECTRICITY

South Carolina has unlimited potentialities for hydroelectric expansion. Development in this field will result in a marked increase in manufacturing throughout the State.

Capital has already seen the promise of great development here and has invested (1926) in electrical production to the extent of \$74,602,376. Last year the value of the annual product was \$12,304,489. This was an increase of 197.5 per cent over 1916. The significant fact about electrical development is that it represents a permanent investment—a prerequisite to all future industrial progress—and a keystone in the sound economic expansion of our State.

OIL MILLS AND FERTILIZERS

In 1916 the capital investment of oil mills was \$4,165,500 and the value of the annual product was \$15,162,351. In 1926 the investment was \$2,867,507, and the returns \$11,925,594. While the value of the annual product declined 21.3 per cent over the 10-year period, nevertheless, in 1926 the value of the annual product exceeded the capital investment by \$9,058,087.

Fertilizer manufacture was the fifth ranking industry in the State, having in 1926 a capital investment of \$5,755,174 and a product valued at \$10,231,430. There was a 10-year decline in investment and a gain of \$1,584,064 or 192.4 per cent in the annual product.

CONCLUSION

South Carolina, a traditionally agricultural State, is rapidly becoming industrialized. Her economic welfare consequently demands at this particular time a more complete balancing of agriculture and manufactures. Many thousands of dollars are lost to the truck farmers every year simply because there are not sufficient canneries to take care of the surplus produced.

The people of the State pay thousands of dollars for imported dairy products which should be supplied from local dairies.

Fisheries are an undeveloped resource in South Carolina, waiting only for a little capital and initiative. North Carolina fisheries turned in \$2,414,499 in 1923; Georgia, \$668,129; Florida, \$1,719,921; and South Carolina, \$284,791.

The value of turpentine and rosin produced in South Carolina during the year 1926 was only \$340,031. This was once a leading industry in the State, but wasteful methods of boxing trees and carelessness with respect to forest fires have almost ruined the industry. Nevertheless, with a little patience and intelligence, the production of naval stores will assume more importance.

All things considered, South Carolina is facing an era of vast industrial expansion, which is bound to bring to our State wealth and greater opportunities for more education and social enlightenment.

INSTALLATION OF RADIO DEVICES IN SENATE CHAMBER

Mr. DILL. Mr. President, I desire to call the attention of the Senator from Kansas [Mr. CURTIS] to a request for information which I have to make.

On March 27, 1924, Senate Resolution 197, a resolution to have the Secretary of War and the Secretary of the Navy cooperate in the appointment of a joint commission of radio experts to investigate and report to the Senate regarding the equipment of the Senate Chamber for radio broadcasting, was introduced by the Senator from Nebraska [Mr. HOWELL]. On May 2, 1924, that resolution, as amended, was passed by the Senate. So far as I can learn, there never has been any such report. I should like to ask the Senator from Kansas the status of that resolution.

Mr. CURTIS. Mr. President, I know of no report being made; and after my attention was called to the matter last Saturday I dictated a letter to the Secretary of War and one to the Secretary of the Navy asking that they make the report just as soon as possible, and why there has been a delay in making the report. As soon as I secure the information I will inform the Senator from Washington.

Mr. DILL. I appreciate the Senator's course in the matter, because I think we ought to have the information. I have no desire to press for any action at this session of Congress, but I do not want the next session to meet without having the information.

Mr. CURTIS. I will inform the Senator as soon as I hear, and if nothing comes I will let him know.

Mr. DILL. Many of the debates which are now going on in Congress might well be considered as being suitable to put out over the radio, and I wanted to call the attention of the Senator to that matter.

ECONOMIC CONDITIONS IN THE COUNTRY

Mr. WALSH of Massachusetts. Mr. President, I submit a resolution and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be read. The resolution (S. Res. 378) was read, as follows:

Whereas it is constantly alleged that the country is enjoying a period of unparalleled prosperity, and the large sums collected in taxes upon incomes and the increase in bank deposits are asserted to form a main evidence of this prosperity; and

Whereas, on the other hand, it is repeatedly asserted that the agricultural industry on the whole is in a depressed and struggling condition, especially in the corn-producing and wheat-producing States of the West and in those States where cotton is produced, causing bank foreclosures, mortgage foreclosures, and in some cases bank failures; and

Whereas in other parts of the country it is alleged that abnormal unemployment in industrial centers is existing, with the result of a great curtailment in the purchasing power of the American people, of itself sufficient to cause a dangerous lowering of normal industrial conditions: Be it

Resolved, That a committee of 15 be appointed to sit during the recess of Congress to make a constructive inquiry into the economic state of the Nation, in order that the country may be in a condition to demand, and the Congress which next reconvenes to enact, such legislation as may be helpful to these basic industries. That a thorough investigation be made by the committee:

First. As to the exact status of the general agricultural conditions in this country.

Second. To what extent does unemployment exist, and to what extent has there been curtailment of production, in various industries throughout the country; the causes of these conditions and the remedies needed to restore prosperity to these industries.

Third. To what extent do existing tariff laws, either by excessive duties or the want of sufficient tariff protection, and the tax on corporation incomes affect these industries and their employees.

Fourth. To what extent is the prevalent consolidation and reconsolidation of industries and the issuing of watered stock increasing the cost of living and bringing about economic conditions that are unsound and insecure.

Fifth. Whether and to what extent the growth of business consolidation in the mercantile life of the country is increasing or decreasing the cost of living, and whether this movement is leading toward a sound or unsound economic status for the future.

Sixth. What measures will be helpful both in continuing the prosperity that may be found to exist in certain industries and in making that prosperity general by restoring good business conditions to the industries that have curtailed production and caused unemployment.

The committee to have full authority to issue subpoenas, compel the production of documents necessary to such inquiry, and to organize an administrative force sufficient to carry on the aforesaid work.

The expenses of said investigation shall be paid from the contingent fund of the Senate on vouchers of the committee or subcommittee, signed by the chairman and approved by the Committee to Audit and Control the Contingent Expenses of the Senate, but shall not include any allowance for traveling or other incidental expenses of members of the committee.

Mr. WALSH of Massachusetts. I desire to give notice that on to-morrow I shall address the Senate briefly on the subject matter of this resolution.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Resolutions coming over from a preceding day are in order.

PRESIDENTIAL TERMS

Mr. LA FOLLETTE. I ask that Senate Resolution 365 may go over without prejudice, inasmuch as there is only 30 minutes left before the cloture motion comes up.

The VICE PRESIDENT. Without objection, Senate Resolution 365 will go over without prejudice.

FINAL REPORT OF THE QUOTA BOARD

The VICE PRESIDENT laid before the Senate the resolution (S. Res. 369) submitted by Mr. NEELY on the 24th instant, which was read, as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to transmit to the Senate a copy of the second or final report of the quota board to the Secretary of State, the Secretary of Commerce, and the Secretary of Labor, and a copy of the joint report, if any, made thereon by the Secretary of State, the Secretary of Commerce, and the Secretary of Labor to the President in pursuance of Section 11 (E) of the quota immigration restriction act of 1924.

Mr. REED of Pennsylvania. Mr. President, does the Senator mean that that report has been made now?

Mr. NEELY. I have been informed that the quota board has made its second or final report.

Mr. REED of Pennsylvania. I think the resolution ought to be agreed to.

Mr. CURTIS. There is no objection to the resolution.

Mr. WILLIS. Mr. President, I objected to the resolution on a previous occasion. I have since examined into it, and I think there is no objection to it. There is no reason why we should not have the information.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an able editorial from the Christian Science Monitor of the 4th day of February, 1927. Permit me to recommend this editorial to the Senate and the country as being worthy of the most serious and sympathetic consideration.

The VICE PRESIDENT. Without objection, it will be so ordered.

The editorial referred to is as follows:

[From the Christian Science Monitor, February 4, 1927]

GUARD THE IMMIGRATION LAW

The adoption by the United States Senate of the resolution postponing application of the national origins quota provision of the immigration law until July 1, 1928, temporarily disposes of a question which will, of course, return to vex the lawmakers. There is a plausible excuse for this postponement in that officials who would be intrusted with the enforcement of the law declare that they have not the statistics necessary to enable them to estimate with accuracy the number of immigrants to be admitted from certain countries. It is true that this assertion is contradicted by many who are involved in the discussion, but there seems no reason to question the advisability of the temporary solution thus reached.

It must not, however, be overlooked that back of the insistence upon the postponement of the literal enforcement of the quota law were arrayed all those agencies which are striving incessantly to break down the general immigration law of the United States. This campaign against the restriction of immigration is persistent and menacing. It is so menacing that many who otherwise would have seen the reasonable need for the action of the Senate this week have opposed it through the belief that it might prove the entering wedge by which the law as a whole might be split asunder.

Ever since that law was enacted groups of foreign-born citizens in the United States have labored unceasingly for its overthrow. They have attacked it on the ground of inhumanity, urging that every immigrant in the United States should have the power to bring all his relatives over to join him. They have in the name of religious liberty insisted continually that the United States should be an open haven for the persecuted of all sects. They have pleaded that America should offer a refuge for those of all countries who are oppressed politically, for those suffering economically, for those ostracized socially. An exhaustive list of the various devices suggested and even incorporated into congressional bills for weakening the immigration law at this point or that would show some amazing appeals to American sympathies or prejudices.

There is no reason to believe that this campaign is going to be moderated in the slightest degree. On the contrary, there is every reason to apprehend that at the expiration of the period of grace provided by the Senate resolution a determined effort will be made to break down the immigration law in toto. It is none too early for those who hold that the citizenry of the United States should be kept free from further dilution with undesirable elements to prepare for a vigorous contest. Outside of the circles of the foreign born, the people of the United States are virtually unanimous in their belief that a law for the restriction of immigration was not only enacted none too soon but that, as a matter of fact, social conditions in the United States would have been better to-day had it been enacted and rigorously enforced two decades earlier than it was. We do not think it possible that there can be any successful attack upon this law, but we do hold it highly desirable that the American forces back of it should be alert and organized for its defense.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16507. An act to authorize an increase in the limit of cost of certain naval vessels, and for other purposes; and

H. R. 16973. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

BUREAUS OF CUSTOMS AND PROHIBITION

Mr. WALSH of Massachusetts. Mr. President, I desire to make an inquiry of the Senator from Ohio [Mr. WILLIS]. I should like to take this opportunity to do it and also to make some comments upon the motion to apply the cloture rule to the bill creating the bureaus of customs and prohibition.

I understand that at 1 o'clock, or soon thereafter, we are to have to vote without debate upon the cloture motion made by the Senator from Ohio with regard to the reorganization bill

affecting the customs and prohibition bureaus. I desire to know from the Senator, before I vote upon that measure, whether he or those interested in this bill and other bills tending to affect the administration of prohibition have any purpose or intention, after the cloture is applied, if it is applied, to amend the reorganization bill by seeking to attach, through an amendment, the so-called whisky medicinal bill, and what assurance, if any, the Senator can give those who may favor the reorganization bill that they will not be confronted, after cloture is applied, with an effort made here without debate or discussion to pass the so-called medicinal bill?

Mr. WILLIS. Mr. President, if the Senator addresses that inquiry to me—

Mr. WALSH of Massachusetts. I do.

Mr. WILLIS. I can state to the Senator my own personal view. The Senator from Utah [Mr. SMOOR] is now on the floor, and will have charge of the bill this morning; but I am very glad to express my own opinion about it.

So far as I have any influence in the matter, I shall resist with what power I may have any effort to attach the so-called medicinal whisky bill to the reorganization bill as an amendment. The reorganization bill is a law-enforcement measure. It relates entirely to the reorganization of the Customs Service and the Bureau of Prohibition in the Department of the Treasury. In my judgment, there is no reason at all why this so-called medicinal whisky bill should be attached as an amendment; and what little influence I may have will be vigorously exerted to prevent the attachment of that bill as an amendment at any stage of the proceedings. Each bill should stand upon its own merits.

Mr. FESS. Mr. President, will my colleague yield?

Mr. WILLIS. I yield to my colleague, if I have the power to do so.

Mr. WALSH of Massachusetts. Mr. President, I understand that the bill to which I refer was reported from the Finance Committee this morning, and I should like to know if there is any intention of pressing it in connection with the reorganization bill.

Mr. SMOOT. Mr. President, I wish to assure the Senator from Massachusetts that that question never arose in the Finance Committee this morning. The medicinal bill was authorized to be reported out of the committee, and, no doubt, has already been reported; but I can assure the Senator that it was only ordered reported from the committee by a majority of a very few votes, and I assure the Senator also that I shall resist with all the power I have any move to put that bill as an amendment on the reorganization bill. All I can do is to assure the Senator in regard to my position on it.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Chair now if under the rule any amendments are permissible to be offered to a bill which has the cloture rule applied to it?

The VICE PRESIDENT. There is no bill to which cloture has been applied as yet. Amendments are in order until 1 o'clock.

Mr. FESS. Mr. President—

Mr. WALSH of Massachusetts. So that any Senator who votes for cloture at 1 o'clock knows that if there have not been amendments offered to the bill by that time, none will be offered after the closing?

The VICE PRESIDENT. The Chair will not undertake to say what a Senator knows and what he does not know.

Mr. JONES of Washington. Mr. President, a parliamentary inquiry. Is it not true that after the adoption of the cloture no amendment could be offered under the rule except by unanimous consent?

The VICE PRESIDENT. The Senator is correct.

Mr. BRUCE. Mr. President—

Mr. FESS. Mr. President, will the Senator from Massachusetts yield to me?

Mr. WALSH of Massachusetts. I yield to the Senator from Ohio.

Mr. FESS. Mr. President, this inquiry evidently grew out of an inquiry that was made from the department as to whether we could get action upon the bill that the Senator has in mind before the end of the session. I introduced in the Senate the bill known as the medicinal bill, and I made the statement that the only possible way I could see to secure its passage at this session would be to offer it as an amendment to the reorganization measure. I consulted some friends and opponents of the reorganization bill and find that there is no unanimity whatever on the suggestion of offering it as an amendment. Being the author of the bill, and being the one who made the suggestion here, I now state to the Senator from Massachusetts that I

will not offer it as an amendment, and unless it is offered before 1 o'clock it can not be offered.

Mr. BRUCE. Mr. President—

Mr. WALSH of Massachusetts. I yield to the Senator from Maryland.

Mr. BRUCE. I should like to offer an amendment to House bill 10729 and ask to have it lie on the table.

The VICE PRESIDENT. Does the Senator desire to have it read? If not, without objection the amendment will be considered as having been read.

Mr. COUZENS. I object. I ask to have the amendment read.

The VICE PRESIDENT. The Secretary will read the amendment.

Mr. BRUCE. Mr. President, I suggest to the Senator—

Mr. COUZENS. I should like to have it read in full.

The VICE PRESIDENT. The Chair will state that the amendment can not be read in full before 1 o'clock.

Mr. BRUCE. Of course, I can not keep my promise to the Senator if it is going to be read.

The VICE PRESIDENT. Is there objection to the amendment being considered as read? The Chair understood the Senator from Michigan [Mr. COUZENS] to object.

Mr. BRUCE. Mr. President, I withdraw my request.

Mr. COUZENS. I desire to know what the amendment is. Amendments are being offered here without any knowledge at all on the part of Senators as to what they are.

Mr. DILL. There will be an hour in which to discuss them.

Mr. COUZENS. When I find out what the amendment is, I may withdraw my objection.

The Chief Clerk read as follows:

For indemnity for spoliation by the French prior to July 31, 1801—

Mr. COUZENS. I withdraw my objection, Mr. President.

Mr. HOWELL. I ask that the amendment be read.

The VICE PRESIDENT. The Senator from Nebraska insists that the amendment be read.

Mr. DILL. The Senator from Maryland withdrew it.

Mr. WALSH of Massachusetts. I hope the Senator from Nebraska will withdraw his objection. It is within 20 minutes of 1 o'clock.

Mr. DILL. The Senator from Maryland withdrew his amendment.

Mr. WILLIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIS. Is it not a fact that the Senator from Maryland withdrew his amendment, so that it is not now before the Senate?

The VICE PRESIDENT. The attention of the Senator from Maryland is requested. Did the Senator from Maryland withdraw his amendment?

Mr. BRUCE. I did not withdraw it.

The VICE PRESIDENT. The Chair understood that the Senator did.

Mr. MOSES. What is its status, then?

The VICE PRESIDENT. The Secretary will read the amendment. A request that the reading of the amendment be dispensed with was objected to by the Senator from Nebraska [Mr. HOWELL]. The amendment has been offered.

Mr. FESS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FESS. If the amendment is being read, and we reach 1 o'clock before its reading is completed, what will happen then?

The VICE PRESIDENT. The Chair will present the motion for cloture.

Mr. EDWARDS. Mr. President—

Mr. SMOOT. I insist that the amendment be read. That is the only thing before the Senate.

The VICE PRESIDENT. The Secretary will read the amendment.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

Mr. BRUCE. I withdraw my amendment.

Mr. SMOOT. I insist that the amendment be read.

The VICE PRESIDENT. The Senator from Maryland withdraws his amendment.

Mr. ROBINSON of Arkansas. I ask for order in the Senate Chamber.

The VICE PRESIDENT. The Senate will be in order.

Mr. EDWARDS. I desire to offer an amendment.

The VICE PRESIDENT. The amendment will be read.

Mr. ROBINSON of Arkansas. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. ROBINSON of Arkansas. The Senate is not in order, and Senators who wish to hear the proceedings in the Senate are entitled to do so.

The VICE PRESIDENT. The Senate will be in order.

Mr. ROBINSON of Arkansas. I suggest that the Sergeant-at-Arms be instructed by the Chair to request Senators to be in order.

The VICE PRESIDENT. The Chair will hold that suggestion in reserve. The amendment offered by the Senator from New Jersey will be read.

The Chief Clerk read as follows:

That in order that the Congress may obtain information necessary for the appropriate exercise of its legislative powers under the eighteenth amendment, there is hereby authorized to be held a national referendum on the following question:

"Shall the Congress amend the national prohibition act (commonly known as the Volstead Act) so as to allow the manufacture, sale, transportation, and possession of beverages containing as great an amount of alcohol as is lawful under the Constitution, provided that such amendments shall not interfere with the constitutional powers of the several States to legislate with respect to intoxicating liquors as each State may deem proper?"

Sec. 2. The several States are hereby authorized to conduct the referendum provided by this resolution at the general election held by the State for Representatives in the Seventy-first Congress of the United States. Such referendum shall be held in accordance with the provisions of this resolution and, except as provided in section 3, in accordance with such election and referendum laws of the State not in conflict with the provisions of this resolution, as the legislature thereof may provide. The question specified in section 1 shall be stated upon the ballots without alternation or explanation, and any individual qualified by law as an elector for a Representative in the Congress of the United States in such year, and none other, shall be qualified to vote upon such question. The governor of the State shall certify the referendum results in the State to the Senate and the House of Representatives on the first day of the first regular session of the Congress commencing after the referendum.

Sec. 3. In the case of any State (1) which has not through a duly constituted authority notified the Postmaster General and the Secretary of Commerce on or before July 1 of the year in which the referendum is to be held that such State has by law adequately provided for the conduct of the referendum in that State, or (2) which the Postmaster General and the Secretary of Commerce each find has not so provided, the Postmaster General and the Secretary of Commerce shall provide for the conduct of the referendum in such State through the post offices, the Bureau of the Census, or such other agencies within their respective jurisdictions and control as they may jointly select and in accordance with such regulations, including penalties for violation thereof, as they may jointly prescribe.

Sec. 4. There is hereby authorized to be appropriated a sum sufficient for the administration of this resolution, and out of any appropriation for the administration of this resolution the Secretary of the Treasury is authorized (1) in accordance with regulations to be prescribed by him, to reimburse each State for the actual cost incurred by the State in conducting the referendum in accordance with the provisions of this resolution, and (2) upon vouchers approved by the Postmaster General and the Secretary of Commerce to pay any expenditures made by such officers in executing the provisions of section 3.

Sec. 5. As used in this resolution, the term "State" includes "Territory," and the term "Representative" includes "Delegate."

Mr. JONES of Washington. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. JONES of Washington. It may not be of any importance, but I simply desire to say, in answer to the question of the Senator, that, as far as I am concerned, I will oppose the adoption of such an amendment to this bill in every way that I can.

Mr. WALSH of Massachusetts. Mr. President, I should like very briefly to state my position upon the cloture motion of the Senator from Ohio.

I believe that the reorganization bill is a very desirable measure. I think the condition of the enforcement of the customs laws of the country is deplorable; that this measure, in so far as it establishes a separate department for the administration of the customs laws, is a decided improvement and beneficial to both the customs employees and the public.

Further, I do not understand there is any change in the fundamental prohibition law involved in this measure. It deals merely with the mechanics of administration. I am against the Volstead law and against the eighteenth amend-

ment, but I am for law enforcement, of the Volstead law and of every law, and I am for the improvement of the personnel, the elimination of graft and corruption, and the improvement of the governmental machinery that will lead to a better enforcement of this law. Certainly there is need of extensive improvement in the methods and personnel of the prohibition enforcement agencies of the Government. It is absurd to contend that the Commissioner of Internal Revenue can efficiently manage both the great income tax bureau and prohibition. They should be separated, and that is provided for in this reorganization bill.

Therefore, because I believe that this measure is decidedly along the lines of efficient administration, of progress, and of better Government, I propose to vote for it. I hope that Senators who have assured me that no amendments will be offered or supported that will seek in any way to change the fundamental prohibition law will protect the position which I intend to take.

There can be no reasonable opposition to this bill, which is purely one of reorganization. My conception of the duty of one who is opposed to the principle of absolute prohibition does not justify an attitude of hostility to those changes desirable for obtaining honest, competent employees in the prohibition enforcement unit. The application of civil service to at least the administrative offices of the prohibition bureau is in the interest of efficient Government, and should lessen the alleged corruption in this bureau.

Mr. President, I have protested against the defeat of measures by a small minority opposed to a particular bill uniting with those opposed to the principle of cloture, when an overwhelming majority, if given an opportunity to vote, would support the bill. As there are probably less than a dozen Senators who will be finally against this bill, I shall not obstruct representative government by voting against the cloture rule.

Mr. WILLIS. Mr. President, in view of what has just been said by the Senator from Massachusetts expressive of the attitude of those of us who are particularly interested in this bill, I invite his attention further to the provisions of Rule XXII. The last paragraph of that rule provides:

No dilatory motion or dilatory amendment or amendment not germane shall be in order.

If an effort shall be made to introduce such an amendment to the reorganization bill, I shall feel it my duty to make a point of order with reference to the germaneness of the amendment.

While I am on my feet I want to say, if I may be permitted to proceed just a moment, that I have no purpose at all to go into a general discussion of the prohibition question, because it is not involved in this bill.

As I stated on the floor a few moments ago, this is a bill for the perfection of the organization of the Customs Service and the work of the Prohibition Bureau in the Treasury Department. It seems to me, as has been stated so well by the Senator from Massachusetts, in effect, that no matter what our attitude may be with reference to the Volstead Act or the eighteenth amendment, simply as a matter of good administration and in the interest of efficiency and of fairness we ought to be for this bill, which provides for the establishment of a bureau of customs and, separate and apart from it, a bureau of prohibition; and the prohibition question as such is not at all involved in this bill.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. WALSH of Massachusetts. Does the Senator think the so-called medicinal spirits bill is not germane to this legislation?

Mr. WILLIS. I should make a point of order to that effect. I do not think it is germane.

Mr. WALSH of Massachusetts. I think it is and that is why I wanted the assurance that it would not be offered.

Mr. WILLIS. I do not, of course, know what the opinion of the Chair would be. As far as I am concerned, I shall resist the offering of such an amendment, and if such an amendment shall be offered, I shall resist the adoption of it, and I shall undertake by every means to keep such an amendment out of the bill.

Mr. JONES of Washington. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. JONES of Washington. As I understand, this bill does not involve the question of prohibition at all but is simply an aid to the enforcement of the law.

Mr. WILLIS. The Senator has stated it correctly and with his usual clarity; and because it is solely and simply a law-

enforcement measure and in the interest of greater efficiency in the work of the bureau of customs and the bureau of prohibition, it seems to me that we ought to consider it entirely separate and apart from the eighteenth amendment or the Volstead Act.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. COUZENS. I would like to ask if the Senator from Ohio understands that there is any deal on to eliminate the civil-service features from the reorganization bill?

Mr. WILLIS. If there is any such deal on, I do not know of it; and if there is such a deal on, I shall resist it from whatever source it comes. I think there is no such deal.

Mr. COUZENS. There has been some discussion on the floor of the Senate among certain Senators to the effect that they were going to agree to overcome some of the objections by eliminating the civil-service features.

Mr. WILLIS. I shall resist any such arrangement as that, and I do not believe any such arrangement has been proposed.

Mr. LENROOT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LENROOT. May I ask what is before the Senate?

The VICE PRESIDENT. The morning hour has not been declared closed as yet. There is no business before the Senate.

Mr. LENROOT. I hope the regular order may be proceeded with.

The VICE PRESIDENT. The regular order is the calendar under Rule VIII.

Mr. LENROOT. I move that the Senate proceed to the consideration of the House amendment to Senate bill 4663.

Mr. WILLIS. I hope the Senator will not press that motion. I promised to yield to the Senator from New York.

Mr. LENROOT. I beg pardon. I had overlooked the fact that this is Monday morning.

Mr. BINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. WILLIS. I yield.

Mr. BINGHAM. Has an amendment been introduced and read at the desk cutting out the civil-service features from the Senator's measure?

Mr. WILLIS. Not to my knowledge. If such an amendment has been introduced and read, I have not heard of it. I have introduced no such amendment, and I shall not be in favor of any such amendment.

Mr. BINGHAM. Will the Senator yield to me to make a parliamentary inquiry?

Mr. WILLIS. I will yield the floor. I promised to yield to the Senator from New York. I yield the floor.

Mr. BINGHAM. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BINGHAM. Has such an amendment already been offered as was referred to by the Senator from Michigan a few moments ago?

Mr. SMOOT. Mr. President, I will say to the Senator that I have all the proposed amendments to the bill, and there is no such amendment, and I do not think there is any intention whatever to eliminate the civil-service provision.

Mr. BINGHAM. The Senator was not here the other day when it was stated that such an amendment would be offered.

Mr. SMOOT. Unless it is offered within 10 minutes, there will not be any chance to offer it.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 227. An act to provide for the appointment of an additional district judge for the district of Connecticut;

S. 1642. An act to provide for the appointment of an additional district judge for the eastern district of Pennsylvania;

S. 1914. An act directing the resurvey of certain lands;

S. 3418. An act to create an additional judge in the district of Maryland;

S. 4069. An act to authorize the Secretary of the Interior to exchange for lands in private ownership in Gunnison County, Colo., certain public lands in Delta County, Colo.; and

S. 5523. An act authorizing the Shoshone Tribe of Indians of the Wind River Reservation in Wyoming to submit claims to the Court of Claims.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 5722. An act to authorize the construction of new conservatories and other necessary buildings for the United States Botanic Garden;

S. 5744. An act authorizing the Secretary of the Treasury to sell certain land to the First Baptist Church, of Oxford, N. C.;

S. 5762. An act to amend sections 4 and 5 of the act entitled "An act granting the consent of Congress to the Gallia County Ohio River Bridge Co. and its successors and assigns to construct a bridge across the Ohio River at or near Gallipolis, Ohio," approved May 13, 1926, as amended;

S. 5791. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.; and

S. J. Res. 171. Joint resolution correcting description of lands granted to the State of New Mexico for the use and benefit of New Mexico College of Agriculture and Mechanic Arts by enrolled bill S. 4910, Sixty-ninth Congress.

HOSPITALIZATION AT LIBERTY, N. Y.

Mr. WADSWORTH. From the Committee on Finance I report back favorably without amendment the bill (S. 5624) to provide for continued hospitalization at Liberty, N. Y., of certain beneficiaries of the Veterans' Bureau, and I submit a report (No. 1648) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Director of the United States Veterans' Bureau to enter into such contracts as may be necessary to provide for the continuance (during such periods as they may be entitled to medical, surgical, and hospital services under the World War veterans' act, 1924, as amended) of such services in other than governmental institutions at Liberty, N. Y., for those beneficiaries of the Veterans' Bureau who now receive such services there.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOSPITALIZATION AT SARANAC LAKE, N. Y.

Mr. WADSWORTH. From the Committee on Finance I report back favorably without amendment the bill (S. 5625) to provide for continued hospitalization at Saranac Lake, N. Y., of certain beneficiaries of the Veterans' Bureau, and I submit a report (No. 1649) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Director of the United States Veterans' Bureau to enter into such contracts as may be necessary to provide for the continuance (during such periods as they may be entitled to medical, surgical, and hospital services under the World War veterans' act, 1924, as amended) of such services in other than governmental institutions at Saranac Lake, N. Y., for those beneficiaries of the Veterans' Bureau who now receive such services there.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

APPOINTMENTS TO PRESIDENTIAL OFFICES

Mr. NORRIS. Mr. President, I report favorably from the Committee on the Judiciary House Joint Resolution 332, to correct an error in Public, No. 526, Sixty-ninth Congress. The report should have been presented a few minutes ago when reports of committees were in order, but there was so much confusion in the Chamber that I did not observe when we reached that order.

I want to say to the Senate that the only thing this would do would be to correct an error which occurred in the passage of a law. The joint resolution which I am about to report has passed the House of Representatives, and I ask permission to report it from the Committee on the Judiciary, and then will ask unanimous consent for its present consideration.

Mr. CURTIS. Will not the Senator state what law it amends?

Mr. NORRIS. The clerk has the papers in his hands.

Mr. CURTIS. Let it be reported.

The Chief Clerk read the joint resolution, as follows:

Resolved, etc., That the first section of the act entitled "An act to require the filing of an affidavit by certain officers of the United States," approved December 11, 1926 (Public, No. 526, 69th Cong.), be corrected and amended so as to read as follows:

"That each individual hereafter appointed as a civil officer of the United States by the President, by and with the advice and consent of the Senate, or by the President alone, or by a court of law, or by

the head of a department, shall, within 30 days after the effective date of his appointment, file with the Comptroller General of the United States an affidavit stating that neither he nor anyone acting in his behalf has given, transferred, promised, or paid any consideration for or in the expectation or hope of receiving assistance in securing such appointment."

Mr. NORRIS. I ask for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUREAUS OF CUSTOMS AND PROHIBITION

Mr. BRUCE. Mr. President, I desire to offer an amendment to the prohibition reorganization bill, to strike out certain language in section 5 of the bill.

The VICE PRESIDENT. The Clerk will state the amendment.

The CHIEF CLERK. Strike out in section 5, page 5, lines 1 to 18, inclusive, in the following words:

(b) The Commissioner of Prohibition, with the approval of the Secretary of the Treasury, is authorized to appoint such employees in the field service as he may deem necessary, but all appointments of such employees shall be made subject to the provisions of the civil service laws, notwithstanding the provisions of section 38 of the national prohibition act, as amended. The term of office of any person who is transferred under this section to the Bureau of Prohibition, and who was not appointed subject to the provisions of the civil service laws, shall expire upon the expiration of six months from the effective date of this act.

Mr. BRUCE. Mr. President, I desire just a minute or so to say that I trust that every Member of this body who believes that cloture should be the extreme medicine of parliamentary procedure, and not its daily food, will vote against the proposed cloture relating to the Federal prohibition reorganization bill. And I will add that I trust that every man who has come here with credentials from his constituency as being an opponent of the eighteenth amendment and the Volstead Act will not discredit those credentials by failing us in the hour of our need.

We all know that Members of this body who are supposed to be friendly to prohibition are held to the severest accountability by such a system of drastic and all-pervading tyranny as was never known in the history of this Government, and I say to those Members of this body who have been elected by constituencies hostile to the eighteenth amendment and the Volstead Act that if they prove faithless to the trust that has been committed to them, some of us propose to see that the pressure of our cause is brought to bear upon their political fortunes when the time comes.

I, for one, shall see to it that the Association Against the Prohibition Amendment, and every other association that is enlisted in our cause, is duly informed of any lack of fidelity upon the part of any Member of this body to the professions he made before his election.

We do not propose to have men elected to this body as opponents of the eighteenth amendment and the Volstead Act, who when they come here prove recreant to promises that they made before they came.

PUBLIC BUILDINGS

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. McNARY. The Boulder Canyon bill is the unfinished business, and will come up at 2 o'clock. At 1 o'clock we will vote on cloture.

The VICE PRESIDENT. What is the inquiry?

Mr. McNARY. At 1 o'clock we will vote on cloture in accordance with the motion filed a few days ago. The inquiry is this: If the motion for cloture should be successful; that is, if two-thirds of the Members should vote in favor of the motion, at 1 o'clock, would that displace the Boulder Canyon bill?

The VICE PRESIDENT. The Chair is of the opinion that it would displace the Boulder dam bill.

Mr. WILLIS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIS. The Chair is undoubtedly correct in the statement that it would displace the Boulder Canyon bill, but after the bill covered by the cloture motion has been passed upon, what will be the status of the Boulder Canyon bill?

The VICE PRESIDENT. The Boulder Canyon bill will be displaced.

Mr. WILLIS. Permanently displaced, the Chair holds?

The VICE PRESIDENT. The Chair would so hold.

The hour of 1 o'clock having arrived, the Chair lays before the Senate the following motion signed by more than 16 Senators:

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, move that debate be brought to a close upon the amendments of the House of Representatives to the bill (S. 4663) authorizing the Secretary of the Treasury to acquire certain lands within the District of Columbia to be used as sites for public buildings.

The clerk will call the roll to ascertain whether a quorum is present.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McNary	Shortridge
Bayard	Goff	Mayfield	Simmons
Bingham	Gooding	Means	Smith
Blease	Gould	Metcalf	Smoot
Borah	Greene	Moses	Stanfield
Bratton	Hale	Neely	Steck
Broussard	Harrell	Norbeck	Stephens
Bruce	Harris	Norris	Stewart
Cameron	Harrison	Nye	Swanson
Capper	Hawes	Oddie	Trammell
Copeland	Heflin	Overman	Tyson
Couzens	Howell	Pepper	Wadsworth
Curtis	Johnson	Phipps	Walsh, Mass.
Dale	Jones, Wash.	Pine	Walsh, Mont.
Deneen	Kendrick	Pittman	Warren
Dill	Keyes	Ransdell	Watson
Edwards	King	Reed, Pa.	Weller
Ernst	La Follette	Robinson, Ark.	Wheeler
Ferris	Lenroot	Robinson, Ind.	Willis
Fess	McKellar	Sackett	
Fletcher	McLean	Sheppard	
Frazier	McMaster	Shipstead	

Mr. JONES of Washington. I desire to announce that the senior Senator from Massachusetts [Mr. GILLETT] is absent on account of illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present. The question is, Is it the sense of the Senate that the debate shall be brought to a close? The clerk will call the roll.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. On which question are we voting now?

The VICE PRESIDENT. On the question of cloture on the public buildings bill.

The legislative clerk proceeded to call the roll.

Mr. JONES of Washington (when Mr. EDGE's name was called). I desire to announce that the senior Senator from New Jersey [Mr. EDGE] is absent attending the funeral of former Senator Baird. I will let this announcement stand for the day.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. DU PONT]. I understand that, if present, he would vote as I do on this subject, and therefore I am at liberty to vote. I vote "yea."

Mr. SWANSON (when Mr. GLASS's name was called). My colleague, the junior Senator from Virginia [Mr. GLASS], is unavoidably detained from the Senate. If he were present he would vote "yea."

Mr. BRATTON (when the name of Mr. JONES of New Mexico was called). I desire to announce that my colleague [Mr. JONES of New Mexico] is necessarily absent from the Chamber on account of illness.

The roll call was concluded.

Mr. GERRY. I wish to announce that the Senator from Virginia [Mr. GLASS] and the Senator from New Jersey [Mr. EDGE] are paired for the motion with the Senator from Missouri [Mr. REED] against the motion.

Mr. ROBINSON of Arkansas. The junior Senator from Arkansas [Mr. CARAWAY] is necessarily absent.

Mr. HARRIS. I desire to announce that my colleague, the junior Senator from Georgia [Mr. GEORGE] is unavoidably absent. I ask to have this announcement stand for the day.

Mr. JONES of Washington. I wish to announce the absence of the senior Senator from Massachusetts [Mr. GILLETT] on account of illness. He has a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. If present, the senior Senator from Massachusetts would vote "yea" on this question. I am not informed how the senior Senator from Alabama would vote.

The result was announced—yeas 52, nays 31, as follows:

YEAS—52

Ashurst	Greene	Metcalf	Smoot
Bruce	Hale	Neely	Stanfield
Capper	Harrell	Oddie	Steck
Copeland	Harris	Pepper	Stewart
Curtis	Hawes	Phipps	Swanson
Deneen	Heflin	Pine	Trammell
Ernst	Kendrick	Pittman	Tyson
Ferris	Keyes	Reed, Pa.	Walsh, Mass.
Fess	Lenroot	Robinson, Ark.	Walsh, Mont.
Fletcher	McKellar	Robinson, Ind.	Warren
Goff	McLean	Sackett	Watson
Gooding	Mayfield	Sheppard	Weller
Gould	Means	Simmons	Willis

NAYS—31

Bayard	Dill	King	Ransdell
Bingham	Edwards	La Follette	Shipstead
Blease	Frazier	McMaster	Shortridge
Borah	Gerry	McNary	Smith
Bratton	Harrison	Moses	Stephens
Broussard	Howell	Norbeck	Wadsworth
Cameron	Johnson	Norris	Wheeler
Dale	Jones, Wash.	Nye	

NOT VOTING—12

Caraway	Edge	Glass	Reed, Mo.
Couzens	George	Jones, N. Mex.	Schall
du Pont	Gillett	Overman	Underwood

The VICE PRESIDENT. The motion for cloture on Senate bill 4663 having received the votes of less than two-thirds of the Senators present, it is not agreed to.

BUREAUS OF CUSTOMS AND PROHIBITION

The VICE PRESIDENT. The Chair lays before the Senate the following motion:

We, the undersigned Senators, in accordance with the provision of Rule XXII of the Standing Rules of the Senate, move that debate be brought to a close upon House bill 10729, a bill to create a bureau of customs and a bureau of prohibition in the Department of the Treasury.

Signed by 22 Senators.

The clerk will call the roll to ascertain whether a quorum is present.

Mr. BINGHAM. Mr. President, I desire to make the point of order that the bill now before the Senate is the Boulder dam bill and that if the motion prevails we must vote on the Boulder dam bill; that the motion can only apply to a measure which has been laid before the Senate by the Presiding Officer.

Mr. ROBINSON of Arkansas. Mr. President, the Senator from Connecticut surely does not insist that a cloture petition can apply to a different bill from that embraced within the petition?

Mr. WILLIS. Mr. President, I desire to be heard on the point of order.

The VICE PRESIDENT. The Senator from Ohio.

Mr. WILLIS. The Chair has repeatedly and correctly held that the cloture motion applies, if adopted, to the bill which was before the Senate at the time the cloture motion was filed. At the time the cloture motion was filed in this case the reorganization bill was before the Senate upon a vote of the Senate.

The VICE PRESIDENT. The Chair holds the point of order not well taken.

Mr. BINGHAM. I appeal from the decision of the Chair, and on that I desire to be heard.

Mr. FESS. Mr. President, I move that the appeal be laid on the table.

Mr. BINGHAM. Mr. President, that is an extremely unfair motion.

Mr. NEELY. Mr. President, I make the point of order that the appeal is not debatable.

The VICE PRESIDENT. The point of order that the appeal is not debatable is well taken.

Mr. ROBINSON of Arkansas. Mr. President, a parliamentary inquiry. The vote is on the motion of the Senator from Ohio [Mr. Fess] to lay the appeal on the table?

The VICE PRESIDENT. That is the pending question.

Mr. BAYARD. Mr. President, on exactly what is the vote at this time?

The VICE PRESIDENT. It is on the motion of the Senator from Ohio to lay on the table the appeal from the decision of the Chair. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair that I made on the last vote, I vote "yea."

The roll call was concluded.

Mr. JONES of Washington. I desire to announce that the Senator from Massachusetts [Mr. GILLETT] has a general pair with the Senator from Alabama [Mr. UNDERWOOD].

Mr. KING. Upon this question I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I do not know how he would vote, and therefore I withhold my vote. If at liberty to vote, I should vote "nay."

The result was announced—yeas 69, nays 12, as follows:

YEAS—69

Ashurst	Greene	Norris	Stanfield
Bratton	Hale	Nye	Steck
Bruce	Harrell	Oddie	Stephens
Cameron	Harris	Overman	Stewart
Capper	Harrison	Pepper	Swanson
Copeland	Hawes	Phipps	Trammell
Curtis	Hefflin	Pine	Tyson
Dale	Jones, Wash.	Pittman	Wadsworth
Deneen	Kendrick	Ransdell	Walsh, Mass.
Dill	Keyes	Reed, Pa.	Walsh, Mont.
Ernst	McKellar	Robinson, Ark.	Warren
Ferris	McMaster	Robinson, Ind.	Watson
Fess	McNary	Sackett	Weller
Fletcher	Mayfield	Sheppard	Wheeler
Frazier	Means	Shortridge	Willis
Goff	Moses	Simmons	
Gooding	Neely	Smith	
Gould	Norbeck	Smoot	

NAYS—12

Bayard	Borah	Gerry	La Follette
Bingham	Broussard	Howell	Lenroot
Blease	Edwards	Johnson	Metcalf

NOT VOTING—14

Caraway	George	King	Shipstead
Couzens	Gillett	McLean	Underwood
du Pont	Glass	Reed, Mo.	
Edge	Jones, N. Mex.	Schall	

So Mr. BINGHAM's appeal from the decision of the Chair was laid on the table.

The VICE PRESIDENT. The Secretary will call the roll, in accordance with Rule XXII, to determine the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Goff	McNary	Shortridge
Bayard	Gooding	Mayfield	Simmons
Bingham	Gould	Means	Smith
Blease	Greene	Metcalf	Smoot
Borah	Hale	Moses	Stanfield
Bratton	Harrell	Neely	Steck
Broussard	Harris	Norris	Stephens
Cameron	Harrison	Nye	Stewart
Capper	Hawes	Oddie	Swanson
Copeland	Hefflin	Overman	Trammell
Curtis	Howell	Pepper	Tyson
Dale	Johnson	Phipps	Wadsworth
Deneen	Jones, Wash.	Pine	Walsh, Mass.
Dill	Kendrick	Pittman	Walsh, Mont.
Edwards	Keyes	Ransdell	Warren
Ernst	King	Reed, Pa.	Watson
Ferris	La Follette	Robinson, Ark.	Weller
Fess	Lenroot	Robinson, Ind.	Wheeler
Fletcher	McKellar	Sackett	Willis
Frazier	McLean	Sheppard	
Gerry	McMaster	Shipstead	

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present. The question is, Is it the sense of the Senate that debate on House bill 10729 shall be brought to a close? The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). On this question the Senator from Delaware [Mr. DU PONT] and myself are paired with the Senator from Missouri [Mr. REED]. The Senator from Delaware and myself would vote "yea" and the Senator from Missouri would vote "nay." I transfer my pair to the Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. ROBINSON of Arkansas (when the name of Mr. JONES of New Mexico was called). The Senator from New Mexico [Mr. JONES] is unavoidably absent. If he were present, he would vote "yea."

Mr. STEPHENS (when his name was called). On this question the Senator from Virginia [Mr. GLASS] and myself are paired with the Senator from New Jersey [Mr. EDGE]. I may state that neither one of these Senators would absent himself but for the fact that he is necessarily detained. If present, the Senator from Virginia [Mr. GLASS] would vote "yea," and so would I, and the Senator from New Jersey [Mr. EDGE] would vote "nay."

Mr. JONES of Washington. I wish to announce the general pair of the Senator from Massachusetts [Mr. GILLET] and the Senator from Alabama [Mr. UNDERWOOD]. If present, the Senator from Massachusetts would vote "yea." I am not informed how the Senator from Alabama would vote.

The result was announced—yeas 55, nays 27, as follows:

YEAS—55

Ashurst	Copeland	Ernst	Fletcher
Cameron	Curtis	Ferris	Frazier
Capper	Deneen	Fess	Goff

Gooding	Keyes	Pine	Steck
Gould	Lenroot	Pittman	Stewart
Greene	McKellar	Reed, Pa.	Swanson
Hale	McLean	Robinson, Ark.	Trammell
Harrell	McMaster	Robinson, Ind.	Tyson
Harris	McNary	Sackett	Walsh, Mass.
Hawes	Mayfield	Sheppard	Walsh, Mont.
Hefflin	Means	Simmons	Warren
Howell	Neely	Smith	Watson
Jones, Wash.	Oddie	Smoot	Willis
Kendrick	Pepper	Stanfield	

NAYS—27

Bayard	Dale	La Follette	Ransdell
Bingham	Dill	Metcalf	Shipstead
Blease	Edwards	Moses	Shortridge
Borah	Gerry	Norris	Wadsworth
Bratton	Harrison	Nye	Weller
Broussard	Johnson	Overman	Wheeler
Bruce	King	Phipps	

NOT VOTING—13

Caraway	George	Norbeck	Underwood
Couzens	Gillett	Reed, Mo.	
du Pont	Glass	Schall	
Edge	Jones, N. Mex.	Stephens	

So the motion for cloture on House bill 10729 was agreed to. The VICE PRESIDENT. The Chair lays before the Senate House bill 10729.

NAVAL PETROLEUM RESERVE

Mr. WALSH of Montana. Mr. President, I desire to advise the Senate that on this morning the Supreme Court of the United States affirmed the judgment of the Circuit Court of Appeals for the Ninth Circuit in the case of the Pan American Petroleum & Transport Co. and the Pan American Petroleum Co., petitioners, against the United States of America. This is the judgment of the circuit court of appeals by which the lease of the Elk Hills reserve to the Doheny interests was annulled. I have a copy of the opinion rendered by the Supreme Court, which I ask to have incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

SUPREME COURT OF THE UNITED STATES

[No. 305.—October term, 1926]

Pan American Petroleum & Transport Co., Pan American Petroleum Co., petitioners, v. The United States of America. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit

Mr. Justice Butler delivered the opinion of the court.

This suit was brought by the United States in the northern division of the southern district of California against the petitioners, Pan American Petroleum & Transport Co. and Pan American Petroleum Co. The former will be called the transport company and the latter the petroleum company. The relief sought is the cancellation of two contracts with the transport company, dated April 25 and December 11, 1922, and two leases of lands in Naval Petroleum Reserve No. 1, to the petroleum company, dated June 5 and December 11, 1922, an injunction, the appointment of receivers, and an accounting. The complaint alleges that the contracts and leases were obtained and consummated by means of conspiracy, fraud, and bribery, and that they were made without authority of law. Receivers were appointed to take possession of and operate the properties pending the suit. At the trial the court heard much evidence and later made findings of fact; stated its conclusions of law; announced an opinion (6 F. (2d) 43), and entered its decree. It adjudged the contracts and leases void and ordered them canceled; it directed the petroleum company to surrender the lands and equipment, and stated an account between the United States and each of the companies. The transport company was charged the value of petroleum products received by it and the amount of profit derived from their resale, and was given credit for the actual cost of construction work performed and fuel oil delivered under the contracts. The petroleum company was charged the value of the petroleum products taken under the leases and given credit for actual expenditures in drilling and operating wells and making other useful improvements. Interest was added to each of the items. The companies appealed to the circuit court of appeals, and the United States took a cross appeal. That court affirmed the decree so far as it awards affirmative relief to the United States and reversed that part which gives credit to the companies. (9 F. (2d) 761.)

Under Revised Statutes, sections 2319, 2329, and the act of February 11, 1897, chapter 216, Twenty-ninth Statutes 526, public lands containing oil were open to settlement, exploration, and purchase. Exploration and location were permitted without charge, and title could be obtained for a nominal amount. United States v. Midwest Oil Co. (236 U. S. 459, 466). Prior to the autumn of 1909 large areas of public land in California were explored; petroleum was found, patents were obtained, and large quantities of oil were taken. In September of that year the director of the Geological Survey reported that, at the rate oil lands in California were being patented, all would be taken within a few months, and that, in view of the increased use of fuel oil by the

Navy, there appeared to be immediate need for conservation. Then the President, without specific authorization of Congress, by proclamation withdrew from disposition in any manner specified areas of public lands in California and Wyoming amounting to 3,041,000 acres. By the act of June 25, 1910, chapter 421, Thirty-sixth Statutes 847, Congress expressly authorized the President to withdraw public lands containing oil, gas, and other minerals. An executive order of July 2, 1910, confirmed the withdrawals then in force. By a later order, September 2, 1912, the President directed that some of these lands "constitute Naval Petroleum Reserve No. 1 and shall be held for the exclusive use or benefit of the United States Navy until this order is revoked by the President or by act of Congress." This reserve includes all the lands involved in this suit. By a similar order, December 13, 1912, the President created the Naval Petroleum Reserve No. 2.

The leasing act of February 25, 1920, chapter 85, Forty-first Statutes 437, regulates the exploration and mining of public lands and authorizes the Secretary of the Interior to grant permits for exploration and make leases covering oil and gas lands, exclusive of those withdrawn or reserved for military or naval purposes. The act of June 4, 1920, chapter 228, Forty-first Statutes 812, 813, appropriated \$30,000 to be used, among other things, for investigating fuel for the Navy and the availability of the supply allowed by naval reserves in the public domain. It contains the following: "Provided, That the Secretary of the Navy is directed to take possession of all properties within the naval petroleum reserves * * * to conserve, develop, use, and operate the same in his discretion, directly or by contract, lease, or otherwise, and to use, store, exchange, or sell the oil and gas products thereof, and those from all royalty oil from lands in the naval reserves, for the benefit of the United States: * * * And provided further, That such sums as have been or may be turned into the Treasury of the United States from royalties on lands within the naval petroleum reserves prior to July 1, 1921, not to exceed \$500,000, are hereby made available for this purpose until July 1, 1922: Provided further, That this appropriation shall be reimbursed from the proper appropriations on account of the oil and gas products from said properties used by the United States at such rate, not in excess of the market value of the oil, as the Secretary of the Navy may direct."

March 5, 1921, Edwin Denby became Secretary of the Navy and Albert B. Fall Secretary of the Interior. May 31, 1921, the President promulgated an Executive order purporting to commit the administration and conservation of all oil and gas bearing lands in the reserves to the Secretary of the Interior, subject to the supervision of the President.

The contract, dated April 25, 1922, was executed on behalf of the United States by the Acting Secretary of the Interior and by the Secretary of the Navy. The transport company agreed to furnish at the naval station at Pearl Harbor, Hawaii, 1,500,000 barrels of fuel oil and deliver it into storage facilities there to be constructed by the company according to specifications of the Navy. The company was to receive its compensation in crude oil to be taken from the reserves. The quantity, on the basis of the posted field prices of crude oil prevailing during the life of the contract, was to be the equivalent of the market value of the fuel oil and also sufficient to cover the cost of the storage facilities. The United States agreed to deliver to the company at the place of production, month by month, all the royalty oil furnished by lessees in reserves Nos. 1 and 2 until all claims under the contract were satisfied. It was stipulated that if production of crude oil should decrease so as unduly to prolong performance, "then the Government will, in the discretion of the Secretary of the Interior, grant additional leases on such lands as he may designate in Naval Petroleum Reserve No. 1 as shall be sufficient to maintain total deliveries of royalty oil under this contract at the approximate rate of 500,000 barrels per annum." And by Article XI of the contract it was agreed that, if during the life of the contract such additional leases should be granted within specified areas, "the contractor shall first be called upon by the Secretary of the Interior to meet such drilling conditions and to pay such royalties as the Secretary may deem just and proper, and in the event of his acceptance * * * the contractor shall be granted by the Government a preferential lease on such tracts as the Secretary of the Interior may decide to lease. In the event of the failure of the contractor to agree * * * then said lease or leases may be offered for competitive bidding, but the contractor shall have a right to submit a bid on equal terms with others engaged in said bidding."

The lease of June 5, 1922, was signed by the Assistant Secretary of the Interior. It was made in accordance with a letter of April 25, 1922, signed by the Acting Secretary of the Interior and the Secretary of the Navy, and sent to J. J. Cotter, who was vice president of the transport company. It covered the quarter section described in the letter. This lease was assigned to the petroleum company.

The contract dated December 11, 1922, is signed for the United States by the Secretary of the Interior and the Secretary of the Navy. It declares that it is desired to fill storage tanks at Pearl Harbor promptly as they are completed and also to procure additional fuel oil and other petroleum products in storage there and elsewhere; that the Secretary

of the Navy requested the Secretary of the Interior as administrator of the naval petroleum reserves to arrange for such products in storage and to exchange therefor additional royalty crude oil, "the probable cost of the additional products and storage immediately planned for being estimated at \$15,000,000, more or less"; that this can not be done on the basis of exchange for the crude oil coming to the Government under the present leases; that under the contract of April 25, 1922, the company is granted preferential right to leases to certain lands in naval reserve No. 1; and that the company was planning to provide refinery facilities at Los Angeles, together with pipe lines from the field to the refinery and docks, and to erect storage having capacity of 2,000,000 barrels or more.

The company agreed to furnish, as directed by the Secretary of the Interior, the fuel oil in storage at Pearl Harbor covered by the earlier contract; to construct for actual cost additional storage facilities there, as required, up to 2,700,000 barrels; to furnish fuel oil and other petroleum products in the proposed storage as and when completed on the basis of market prices plus transportation cost at going rates; to furnish without charge, until expiration of the contract, storage for 1,000,000 barrels of fuel oil at Los Angeles; to fill it with fuel oil for the Navy at such time as Government royalty oil should be available for exchange, and to bunker Government ships from such oil at cost; to maintain for 15 years subject to the demands of the Navy 3,000,000 barrels of fuel oil in the company's depots at Atlantic coast points; to furnish crude-oil products and storage facilities at other points, designated by the Government, when sufficient crude oil has been delivered to satisfy the Pearl Harbor contract; to sell the Navy at 10 per cent less than market price additional available fuel oil produced from the reserves and manufactured products from its California refineries; to credit the Navy for crude oil at published prices and for gas and casing-head gasoline at prices fixed in the leases, and to satisfy any surplus credits of the Government by delivery of fuel oil or other petroleum products, by construction of additional storage facilities, or by payment in cash as the Government might elect. The United States agreed to deliver to the company in exchange all royalty oil, gas, and casing-head gasoline produced on reserves Nos. 1 and 2 until its obligations were discharged and in any event for 15 years after the expiration of the contract of April 25, 1922 [which was without specified time limit], and to lease to the company all the unleased lands in reserve No. 1.

The lease of December 11, 1922, is signed for the United States by the Secretary of the Interior and the Secretary of the Navy. It covers all unleased lands in reserve No. 1, but with a provision that no drilling shall be done on approximately the western half without the lessor's consent. It runs for 20 years and so long thereafter as oil or gas is produced in paying quantities. The royalties range from 12½ to 35 per cent.

A joint resolution adopted by the Senate and House of Representatives and approved by the President February 8, 1924 (43 Stat. 5), stated that it appeared from evidence taken by the Committee on Public Lands and Surveys of the Senate that the contract of April 25, 1922, and the lease of December 11, 1922, were executed under circumstances indicating fraud and corruption, without authority on the part of the officers purporting to act for the United States and in defiance of the settled policy of the Government to maintain in the ground a great reserve supply of oil adequate to the needs of the Navy. It declared the contracts and leases to be against public interest and that the lands should be recovered and held for the purposes to which they were dedicated. And it authorized and directed the President to cause suit to be prosecuted for the annulment and cancellation of the lease and all contracts incidental and supplementary thereto, and to prosecute such other action or proceedings, civil and criminal, as might be warranted.

The findings contain what in abridged substance follows:

E. L. Doheny controlled both companies. Fall was active in procuring the transfer of the administration of naval petroleum reserves from the Navy Department to the Interior. And, after the Executive order was made, he dominated the negotiations that eventuated in the contracts and leases. From the inception no matter of policy or action of importance was determined without his consent. Denby was passive throughout, and signed the contracts and lease and the letter of April 25, 1922, under misapprehension and without full knowledge of their contents. July 8, 1921, Fall wrote Doheny: "There will be no possibility of any further conflict with Navy officials and this department, as I have notified Secretary Denby that I should conduct the matter of naval leases under the direction of the President, without calling any of his force in consultation unless I conferred with himself personally upon a matter of policy. He understands the situation and that I shall handle matters exactly as I think best and will not consult with any officials of any bureau in his department, but only with himself, and such consultation will be confined strictly and entirely to matters of general policy." After that Doheny and his companies acted upon the belief that Fall had authority to make the contracts and leases. Doheny and Fall conferred as to a proposal to be made by the transport company whereby it should receive from the United States royalty oil for

constructing storage facilities at Pearl Harbor and filling them with fuel oil. They discussed the matter of granting other leases in reserve No. 1. They also discussed a petition of the petroleum company for reduction of royalties under an existing lease. Fall and Admiral John K. Robison, personal representative of the Secretary of the Navy in naval reserve matters, agreed that the proposed contract should be kept secret so that Congress and the public should not know what was being done. [But it is to be said that Robison's motives in this were not the same as Fall's.]

November 28, 1921, Doheny submitted to Fall a proposal stating that, in accordance with a suggestion from Fall, he had made inquiries as to cost of constructing storage for 1,500,000 barrels of fuel oil at Pearl Harbor. He gave in detail figures relating to such cost, the price of crude oil in the field and of fuel oil at Pearl Harbor, and stated the total amount of crude oil necessary to pay for the tanks and fuel oil "on the basis of our being paid for both tanks and oil in royalty crude oil produced from lands within the naval reserves and to be leased to us." The letter concluded: "I suppose you will turn this matter over to First Assistant Secretary Finney, who, with Rear Admiral Robison, may arrange the details of it during your absence, and as I also expect to be absent, I am confidentially furnishing Mr. Cotter with the information so that he can intelligently discuss the matter with Mr. Finney." And the next day Fall wrote Robison:

"Mr. Cotter will wait upon you with data, etc., with relation to oil tanks and royalty oils in connection with Pearl Harbor demands. I have asked him also to hand you, for your inspection, the original of a letter from Colonel Doheny addressed to myself, containing a résumé of the data. Should you think best to accept this proposition then, of course, it would be necessary, in my judgment, to turn over to Colonel Doheny, if we can do so, leases upon further wells or area in the naval reserve in which he is now drilling. If this is done, it must be understood that the royalty must be made less than are the present royalties being paid by the Midway and Pan American." The letter stated that the gas pressure was lessening and that the companies were suffering loss in the payment of the 55 per cent royalty. "If you approve the proposition, will you kindly indicate to me such approval by simple indorsement upon Colonel Doheny's letter to myself, signed by yourself. Your simple O. K. will be sufficient."

Doheny had agreed to advance \$100,000 to Fall as and when he should need it. November 30, at Fall's request, Doheny sent him \$100,000 in currency. The money was obtained in New York on the check of Doheny's son who carried it to Washington and gave it to Fall. And Fall sent to Doheny by the son a demand note for \$100,000. No entry of the advance was made in the accounts of Doheny or the petitioners. Nothing has been paid on account of principal or interest. At that time it was understood between Doheny and Fall that the latter need not repay it in kind. Doheny intended, if Fall did not dispose of a certain ranch in New Mexico, to cause the transport company to employ him at a salary sufficient to enable him, out of one-half of it, to pay off the amount in five or six years; and he knew that Fall expected to leave the service of the Government and accept employment with one of his companies. A few weeks after it was given, Doheny tore Fall's signature off the note so that it would not be enforceable in the hands of others. December 1, Fall gave instructions to subordinates that the petition of the petroleum company for reduction of royalties should not be granted but that, as relief, the company be given another lease at regulation royalties.

Long in advance of receipt of bids Fall knew that the transport company would offer to construct storage facilities at cost and to fill them with fuel oil in exchange for royalty oil and for the assurance that other leases on lands in reserve No. 1 would be granted to it. Others were not advised that the United States would consider a bid conditioned on assurance to the bidder of other leases or preferential right to leases. Due to the interest of Fall, the transport company had opportunities for conference with and advice from those acting for the United States which were not given to others. There were five other oil companies with which officers or employees of the United States conferred as to the proposed contract. Fall knew that two of these would not bid because they considered the proposed contract illegal; that two of the others had not been invited to bid, and that the other one would refuse to bid unless authority for the contract should be obtained from Congress. Invitation for proposals was sent two construction companies; but Fall understood and stated that it was impossible for either of them to bid because payment had to be made in royalty oil.

April 13 Fall left Washington for Three Rivers, N. Mex. Before leaving he gave instructions that no bids should be accepted or contract awarded without his consent. The bids were opened April 15. Four were received; one was conditioned upon congressional approval of the contract; one did not cover the construction work and applied only to furnishing the fuel oil; the other two proposals were from the transport company; one of them, designated A, was in accordance with the invitation for bids, but the other, called B, was not. The latter named the

smaller lump sum in barrels of crude oil; it stated that if actual cost was less than a specified amount, the saving should be credited to the Government; and it was conditioned upon granting the bidder preferential right to become lessee in all leases that thereafter might be granted by the United States for recovery of oil and gas in reserve No. 1. On April 18 Edward C. Finney, Acting Secretary of the Interior, telegraphed Fall that certain officials and employees of the United States recommended acceptance of proposal B; on the same day Fall consented by telegram, and Finney sent a letter to the company purporting to award the contract to it. Cotter then stated that the transport company did not desire to make the contract unless the United States would agree, within 12 months, to grant the company a lease or leases of lands in reserve No. 1. He also raised the question whether the Executive order of May 31, 1921, had any legal force and refused to permit the company to make the contract unless Denby should sign as Secretary of the Navy. April 20, Arthur W. Ambrose, of the Bureau of Mines, was sent from Washington to Three Rivers with the papers in the case. He was instructed to consult Fall as to whether Denby should be made a party to the contract. April 23, Fall by telegram agreed that Denby should be made a party and directed Finney to execute the contract for the Department of the Interior. While it is not clearly shown that Ambrose took with him a draft of the letter of April 25, signed by Denby and Finney and sent to Cotter, he was instructed to, and did, consult Fall concerning it. That letter declares that the company's proposals were the lowest received by the Government. After stating that, expressed in money, proposal B is the better by \$235,184.40, and by the possible saving by performance for less than the estimated cost of construction, it said: "It is evident from our conversation of April 18 that your interpretation of preferential right was to the effect that the * * * transport company desired the right to lease certain specified land in naval petroleum reserve No. 1 as well as preferential right to lease other land in Naval Petroleum Reserve No. 1 to the extent described in Article XI of contract. It is also my understanding from your conversation that unless the * * * transport company could get a lease to certain lands, your company would not desire to enter into a contract under the terms outlined in proposal (B) and preferred the Government would accept proposal (A)." The letter then stated that the department favored proposal B and reiterated its stated advantages over the other proposal. Then it said: "In order that the Government may take advantage of a contract embodying the terms outlined in proposal (B), I wish to advise you that the Department of the Interior will agree to grant to the * * * transport company within one year from the date of the delivery of a contract relative to the Pearl Harbor project leases to drill the following tracts of land."

The letter specified the quarter section covered by the lease of June 5, 1922, and an additional strip, and stated that the royalties to be required would not be greater than specified rates, ranging from 12½ to 35 per cent. The preferential right was inserted to prevent competition. The assurance that additional leases would be given was not necessary or required under proposal B.

After the making of the contract of April 25 the posted field price of crude oil declined rapidly. In the autumn of 1922 the transport company and Doheny were in correspondence or consultation with Fall for the purpose of at once securing additional leases in reserve No. 1. Doheny submitted a proposition to Fall, which the latter delivered to his subordinates with his favorable recommendation. Later Doheny enlarged the proposition, and there followed negotiations concerning the proposed lease. Doheny and Fall agreed upon a schedule of royalties. The lease of December 11 was arranged without competition of any kind. Plans for the proposed construction work had not been prepared. Before the contract and lease were made Fall and others in his department stated to persons making inquiries that it was not the intention to make leases or to drill in that reserve. The danger of drainage had been eliminated by agreement between the United States and oil companies operating in the vicinity that no drilling should be done by either except on six months' notice to the other.

The district court concluded that the contracts and leases were obtained by corruption and fraud. On their appeal, petitioners challenged practically all the findings of the trial court. The circuit court of appeals, after stating the issue and the substance of the facts found and conclusions reached below, said: "We find no ground for disturbing the findings of fact which we deem essential to the decision of the case, and while the evidence may be insufficient to support certain contested findings, the disputed facts, in view of our conclusions upon the law applicable to the case, become of little importance." The petitioners here argue that the Secretary of the Navy did in fact exert the authority conferred by the act of June 4, 1920, and that Fall did not dominate the making of the contracts and leases; that it was not proved by any evidence competent or admissible against the companies that Doheny gave Fall \$100,000; that the giving of the money did not affect the transaction; that it was a loan and not a bribe, and that the record does not sustain the conclusion of the district court.

We have considered the evidence, and we are satisfied that the findings as to the matters of fact here controverted are fully sustained, except the statement that Denby signed the contracts and leases under

misapprehension and without full knowledge of the contents of the documents. As to that the record requires an opposite finding. Under the act of June 4, 1920, it was his official duty to administer the oil reserves; he was not called as a witness, and it is not to be assumed that he was without knowledge of the disposition to be made of them or of the means employed to get storage facilities and fuel oil for the Navy. He is presumed to have had knowledge of what he signed; there are direct evidence and proven circumstances to show that he had. But the evidence sustains the finding that he took no active part in the negotiations and that Fall, acting collusively with Doheny, dominated the making of the contracts and leases.

The finding that Doheny caused the \$100,000 to be given to Fall is adequately sustained by the evidence. Early in 1924, during the investigation of these contracts and leases by the Senate committee, Doheny voluntarily appeared as witness and there gave testimony for the purpose of explaining the money transaction between him and Fall at the time the initial contract was being negotiated. At the trial of this case, over objections of the companies, his statements before the committee were received in evidence. Petitioners insist that they were not admissible. But Doheny acted for both companies when the contracts and leases were negotiated. He controlled the voting power of one that owned all the shares of the other. He was president of the petroleum company up to July 24, 1922, and then became chairman of its board. He was president of the transport company until December 7, 1923, when he became chairman of its board. He was chairman of both when he testified. There is no evidence that his control over or authority to act for these companies was less in 1924, when he appeared for them before the committee, than it was in 1921 and 1922, when he negotiated and executed the contracts and leases. The companies were much concerned as to the investigation lest it might result in an effort to set aside the transaction. The hearing before the committee was an occasion where it was proper for them to be represented. Doheny had acted for them from the inception of the venture. The facts and circumstances disclosed by the record justified the lower courts in holding that, when he testified before the committee, he was acting for the companies within the scope of his authority. His statements on that occasion are properly to be taken as theirs, and are admissible in evidence against them. *Chicago v. Greer*, 9 Wall. 726, 732; *Xenia Bank v. Stewart*, 114 U. S. 224, 229; *Fidelity & Deposit Co. v. Courtney*, 186 U. S. 342, 349, 351; *Aetna Indemnity Co. v. Auto-Traction Co.*, 147 Fed. 95, 98; *Joslyn v. Cadillac Co.*, 177 Fed. 863, 865; *Chicago, Burlington & Quincy R. R. Co. v. Coleman*, 18 Ill. 297, 298.

The facts and circumstances disclosed by the record show clearly that the interest and influence of Fall, as well as his official action, were corruptly secured by Doheny for the making of the contracts and leases; that, after the Executive order of May 31, 1921, Fall dominated the administration of the naval reserves, and that the consummation of the transaction was brought about by means of collusion and corrupt conspiracy between him and Doheny. Their purpose was to get for petitioners oil and gas leases covering all the unleased lands in the reserve. The making of the contracts was a means to that end. The whole transaction was tainted with corruption. It was not necessary to show that the money transaction between Doheny and Fall constituted bribery as defined in the Criminal Code or that Fall was financially interested in the transaction or that the United States suffered or was liable to suffer any financial loss or disadvantage as a result of the contracts and leases.

It is enough that these companies sought and corruptly obtained Fall's dominating influence in furtherance of the venture. It is clear that, at the instance of Doheny, Fall so favored the making of these contracts and leases that it was impossible for him loyally or faithfully to serve the interests of the United States. The lower courts for that reason rightly held the United States entitled to have them adjudged illegal and void. (*Crocker v. United States*, 240 U. S. 74, 80, 81; *Garman v. United States*, 34 Ct. Cls. 237, 242; *Herman v. City of Oconto*, 100 Wis. 391, 399; *Harrington v. Victoria Graving Dock Co.*, L. R. 3 Q. B. D. 549; *Tool Co. v. Norris*, 2 Wall. 45, 54, 56; *Trist v. Child*, 21 Wall. 441, 448, 452; *Meguire v. Corwine*, 101 U. S. 108, 111; *Oscanyan v. Arms Co.*, 103 U. S. 261, 275; *Washington Irr. Co. v. Krutz*, 119 Fed. 279, 286.

The transaction evidenced by the contracts and leases was not authorized by the act of June 4, 1920. The grant of authority to the Secretary of the Navy did not indicate a change of policy as to conservation of the reserves. The act of June 25, 1910, the act of February 25, 1920, the Executive orders, and the joint resolution of February 8, 1924, show that it has been and is the policy of the United States to maintain a great naval petroleum reserve in the ground. While the possibility of loss by drainage might be a reason for legislation enabling the Secretary to take any appropriate action that at any time might become necessary to save the petroleum, it is certain that the contracts and leases have no such purpose. The work to be paid for in crude products contemplated the construction of fuel depots. The one covered by the first contract was a complete unit sufficient for 1,500,000 barrels, including pumping stations, fire protection, and its own wharf

and channel. It is not necessary to consider the possible extent of the construction that might be required under the later contract. Indeed, it could not then be known how much work and products in storage it would take to exhaust the reserve. The record shows that the Navy Department estimated the cost of proposed storage plants and contents at approximately \$103,000,000. Congress has not authorized any such program. The department tried and failed to secure additional appropriations for the Pearl Harbor storage facilities. The act of August 31, 1842, 5 Stat. 77 (R. S. sec. 1552), gave the Secretary authority to construct fuel depots. But it was taken away by the act of March 4, 1913, 37 Stat. 898. Since that time Congress has made separate appropriations for fuel stations at places specifically named. (March 4, 1913, c. 148, 37 Stat. 891, 898; June 30, 1914, c. 130, 38 Stat. 392, 401; March 3, 1915, c. 83, 38 Stat. 928, 937; August 29, 1916, c. 417, 39 Stat. 556, 570; March 4, 1917, c. 180, 39 Stat. 1168, 1179; June 15, 1917, c. 29, 40 Stat. 182, 207; July 1, 1918, c. 114, 40 Stat. 704, 726; November 4, 1918, c. 201, 40 Stat. 1020, 1034; July 11, 1919, c. 9, 41 Stat. 131, 145; June 5, 1920, c. 253, 41 Stat. 1015, 1030; July 12, 1921, c. 44, 42 Stat. 122, 130.) And it has long been its policy to prohibit the making of contracts of purchase or for construction work in the absence of express authority and adequate appropriations therefor. (Rev. Stat. secs. 3732, 3733; act of June 12, 1906, 34 Stat. 255; act of June 30, 1906, 34 Stat. 764.) The Secretary was not authorized to use money received from the sale of gas products. All such sums are required to be paid into the Treasury. (Rev. Stat. secs. 3617, 3618, as amended, 19 Stat. 249.)

The words granting authority to the Secretary are "use, store, exchange, or sell" the oil and gas products. As the Secretary, among other things, was authorized until July 1, 1922, to use money out of the appropriation to "store" oil and gas products from these lands, it will not be held, in the absence of language clearly requiring it, that he was also empowered without limit to use crude oil to pay for additional storage facilities. Unless given him by "exchange" the Secretary had no power by such contracts to locate or construct fuel depots. It is not contended that the clause confers unlimited authority, and the petitioners say that the word "exchange" must have some reasonable limitation. But they insist that it is broad enough to authorize the contracts. If it is, there is no reason why crude oil may not be used to pay for any kind of construction work or to purchase any property that may be desired by the department for the use of the Navy.

The purpose and scope of the provision are limited to the administration of the reserves. The clause is found in a proviso to an appropriation for an investigation of fuel adapted to naval requirements and the availability of the supply in the naval reserves. If "exchange" has the meaning contended for by petitioners, it must be taken to indicate that Congress intended by the clause in question not only to restore to the Secretary authority in respect of fuel depots that had been taken from him by the act of March 4, 1913, but also to enable him by means of contracts and leases such as these to reverse, if he saw fit, the established policy of the Government as to the petroleum reserves. The circumstances of the enactment as well as the terms of the provision indicate a purpose to authorize exchange of crude petroleum from these reserves for fuel oil and other petroleum products suitable for use by the Navy. The Secretary was not authorized to refine the crude product. A draft of the act included that authority, but the word "refine" was stricken out. This made necessary the exchange of the crude product for fuel oil and other products suitable for use. Whatever the meaning rightly to be attributed to the words employed, it is clear that they stop short of authorizing the Secretary to pay for improvements such as were covered by the contracts.

The petitioners insist that, in any event, they are entitled to credit for the cost of construction work performed and of the fuel oil furnished at Pearl Harbor, and also for the amount they expended to drill and operate oil wells and to make other improvements on the leased lands.

The substance of the account, as stated in the decree of the district court, is printed in the margin.¹ The findings show that the storage

¹ A. Transport Co. is debited:

1. All royalty oil, etc., delivered under contracts of Apr. 25, 1922, and Dec. 11, 1922, to May 31, 1925.	\$7,889,759.21
2. Profit on their resale.	791,012.03
3. Interest on No. 1.	684,625.55
4. Interest on No. 2.	94,351.86
Total	9,459,748.15

B. Transport Co. is credited:

1. Actual cost of storage facilities at Pearl Harbor, under contracts of Apr. 25, 1922, and Dec. 11, 1922.	7,350,814.11
2. Interest on No. 1.	820,922.43
3. Cost of fuel oil delivered to tanks.	1,986,142.47
4. Interest on No. 3.	259,569.11
Total	10,417,448.12
Balance due Transport Co.	957,699.97

facilities at Pearl Harbor covered by the contracts were economically completed on the lands of the United States under the direction of the companies and the supervision of officers of the Navy; that they are of benefit to the United States and are now available for use and should be retained by it; that the transport company delivered into the storage constructed a specified quantity of fuel oil of value to the United States equal to what it cost the company; that under the supervision of Government officials the petroleum company economically expended money for development of the leased lands to produce oil, gas, and gasoline, and to make thereon permanent improvements that resulted in benefit to the United States equal to the amount expended.

They maintain that as a condition of granting the United States the relief it claims, equity requires it to give credit to them for their expenditures; that if this be denied, they will be required to pay double the value of the royalty oil they have received, and that the United States thereby will be unjustly enriched; that, except the balance shown by the account, they have paid in full for such oil; that the United States has fully paid for the benefits it received from petitioner's expenditures, and that, in effect, it now seeks to recover the payments it made voluntarily. And they insist that the United States must be made to bear these amounts even if the contracts were made without authority of law or were tainted with fraud, violation of public policy, conspiracy, or other wrongful act.

In suits brought by individuals for rescission of contracts the maxim that he who seeks equity must do equity is generally applied, so that the party against whom relief is sought shall be remitted to the position he occupied before the transaction complained of. "The court proceeds on the principle that as the transaction ought never to have taken place, the parties are to be placed as far as possible in the situation in which they would have stood if there had never been any such transaction." (*Neblett v. Macfarland*, 92 U. S. 101, 103.) And, while the perpetrator of the fraud has no standing to rescind, he is not regarded as an outlaw; and if the transaction is rescinded by one who has the right to do so, "the courts will endeavor to do substantial justice so far as is consistent with adherence to law." (*Stofela v. Nugent*, 217 U. S. 499, 501.) The general principles of equity are applicable in a suit by the United States to secure the cancellation of a conveyance or the rescission of a contract. (*United States v. Detroit Lumber Co.*, 200 U. S. 321, 339; *United States v. Stinson*, 197 U. S. 200, 204; *State of Iowa v. Carr*, 191 Fed. 257, 266; cf. *Mason v. United States*, 260 U. S. 545, 557, et seq.) But they will not be applied to frustrate the purpose of its laws or to thwart public policy.

Causey v. United States, 240 U. S. 399, was a suit in equity brought by the United States to recover title to public lands conveyed to defendant under the homestead laws. The patent was obtained by fraud. The defendant paid the United States for the land in scrip at the rate of \$1.25 per acre. The complaint did not contain an offer to return the scrip, and it was insisted by the defendant that because of such failure the suit could not be maintained. The court said (p. 402): "This objection assumes that the suit is upon the same plane as if brought by an individual vendor to annul a sale of land fraudulently induced. But, as this court has said, the Government in disposing of its public lands does not assume the attitude of a mere seller of real estate at its market value. These lands are held in trust for all the people, and in providing for their disposal Congress has sought to advance the interests of the whole country by opening them to entry in comparatively small tracts under restrictions designed to accomplish their settlement, development, and utilization. And when a suit is brought to annul a patent obtained in violation of these restrictions, the purpose is not merely to regain the title but also to enforce a public statute and maintain the policy underlying it. Such a suit is not within the reason of the ordinary rule that a vendor suing to annul a sale fraudulently induced must offer and be ready to return the consideration received. That rule, if applied, would tend to frus-

trate the policy of the public land laws; and so it is held that the wrongdoer must restore the title unlawfully obtained and abide the judgment of Congress as to whether the consideration paid shall be refunded."

Heckman v. United States (224 U. S. 413) was a suit by the United States to cancel conveyances of allotted lands made by members of the Cherokee Nation and to have the title decreed to be in the allottees and their heirs, upon the ground that the conveyances were made in violation of restrictions upon the power of alienation. On demurrer to the complaint it was insisted that the allottees had received considerations for the conveyances and should be made parties to the suit in order that equitable restoration might be enforced. The court said (p. 446): "Where, however, conveyance has been made in violation of the restrictions, it is plain that the return of the consideration can not be regarded as an essential prerequisite to a decree of cancellation. Otherwise, if the Indian grantor had squandered the money, he would lose the land which Congress intended he should hold, and the very incompetence and thriftlessness which were the occasion of the measures for his protection would render them of no avail. The effectiveness of the acts of Congress is not thus to be destroyed. The restrictions were set forth in public laws, and were matters of general knowledge. Those who dealt with the Indians contrary to these provisions are not entitled to insist that they should keep the land if the purchase price is not repaid, and thus frustrate the policy of the statute."

United States v. Trinidad Coal Co. (137 U. S. 160) was a suit brought by the United States to set aside patents conveying certain coal lands on the ground that they were obtained by fraud and in violation of Revised Statutes, sections 2347, 2348, and 2350. The company, in furtherance of a fraudulent scheme to get the lands, furnished the money that was paid to the United States by the fraudulent patentees who conveyed the lands to the company. The complaint did not contain an offer by the United States to return the money. The company contended that the United States was subject to the rules that apply to individuals and that relief should be conditioned upon return of the money. The court held that the rule should not be applied in a case like that one. It laid down and applied the principles on which rest the decisions in *Causey v. United States*, supra, and *Heckman v. United States*, supra. Among other things, the court said (p. 170): "If the defendant is entitled, upon a cancellation of the patents fraudulently and illegally obtained from the United States, in the name of others, for its benefit, to a return of the moneys furnished to its agents in order to procure such patents, we must assume that Congress will make an appropriation for that purpose, when it becomes necessary to do so. The proposition that the defendant, having violated a public statute in obtaining public lands that were dedicated to other purposes, can not be required to surrender them until it has been reimbursed the amount expended by it in procuring the legal title, is not within the reason of the ordinary rule that one who seeks equity must do equity; and, if sustained, would interfere with the prompt and efficient administration of the public domain. Let the wrongdoer first restore what it confesses to have obtained from the Government by means of a fraudulent scheme formed by its officers, stockholders, and employees in violation of law."

It was the purpose of those making the contracts and leases to circumvent the laws and defeat the policy of the United States established for the conservation of the naval petroleum reserves. The purpose of the representatives of the department was to get for the Navy fuel depots or storage facilities that had not been authorized by Congress. The leases were made to obtain the crude products for use as a substitute for money to make good the amounts advanced by petitioners to pay for such improvements. The Secretary's authority to provide facilities in which to "store" naval reserve petroleum or its products did not extend beyond those that might be provided by use of the money made available by the act of June 4, 1920. And, in order to get control of the oil lands covered by the leases, the companies agreed to pay for these unauthorized works of construction and to furnish fuel oil and other products of petroleum suitable for naval use to fill the storage facilities so added. The contracts and leases and all that was done under them are so interwoven that they constitute a single transaction not authorized by law and consummated by conspiracy, corruption, and fraud. The United States does not stand on the same footing as an individual in a suit to annul a deed or lease obtained from him by fraud. Its position is not that of a mere seller or lessor of land. The financial element in the transaction is not the sole or principal thing involved. This suit was brought to vindicate the policy of the Government, to preserve the integrity of the petroleum reserves, and to devote them to the purposes for which they were created. The petitioners stand as wrongdoers, and no equity arises in their favor to prevent granting the relief sought by the United States. They may not insist on payment of the cost to them or the value to the Government of the improvements made or fuel oil furnished as all were done without authority and as means to circumvent the law and wrongfully to obtain the leases in question. As Congress had not authorized them, it must be assumed that the United States did not want

C. Petroleum Co. is debited:

1. Value of petroleum products taken under leases of June 5, 1922, and Dec. 11, 1922 (other than those included in the account of the Transport Co.)	\$1,556,861.17
2. Interest on No. 1	170,650.02
Total	1,727,511.19

D. Petroleum Co. is credited:

1. Actual cost of drilling, putting on production, maintaining, and operating wells, and other useful improvements to property under leases	1,013,428.75
2. Actual cost of constructing, maintaining, and operating compressor and absorption plant, less value of use of products of other lands and less gasoline manufactured and sold from gas produced from lands in controversy	194,991.01
3. Interest on No. 1 and No. 2	161,060.43
Total	1,369,480.19

Balance due United States 358,031.00

[NOTE.—Interest is at the rate of 7 per cent and is calculated on monthly balances to May 31, 1925.]

the improvements made or was not ready to bear the cost of making them. No storage of fuel oil at Pearl Harbor was authorized to be made in excess of the capacity of, or in any places other than, the facilities provided for that purpose pursuant to authorization by Congress. Whatever their usefulness or value, it is not for the courts to decide whether any of these things are needed or should be retained or used by the United States. Such questions are for the determination of Congress. It would be unjust to require the United States to account for them until Congress acts; and petitioners must abide its judgment in respect of the compensation, if any, to be made. And this applies to the claim on account of the fuel oil as well as to the other items. Clearly petitioners are in no better position than they would be if they had paid money to the United States, instead of putting the fuel oil in storage. Equity does not condition the relief here sought by the United States upon a return of the consideration. (*United States v. Trinidad Coal Co.*, supra; *Heckman v. United States*, supra; *Causey v. United States*, supra.)

Decree affirmed.

Mr. Justice Stone took no part in the consideration or decision of this case.

Mr. WALSH of Montana. I ask leave to read from the report two paragraphs giving the substance of the determination arrived at by the court:

The facts and circumstances disclosed by the record show clearly that the interest and influence of Fall, as well as his official action, were corruptly secured by Doheny for the making of the contracts and leases; that, after the Executive order of May 31, 1921, Fall dominated the administration of the naval reserves, and that the consummation of the transaction was brought about by means of collusion and corrupt conspiracy between him and Doheny. Their purpose was to get for petitioners oil and gas leases covering all the unleased lands in the reserve. The making of the contracts was a means to that end. The whole transaction was tainted with corruption. It was not necessary to show that the money transaction between Doheny and Fall constituted bribery, as defined in the Criminal Code, or that Fall was financially interested in the transaction or that the United States suffered or was liable to suffer any financial loss or disadvantage as a result of the contracts and leases. It is enough that these companies sought and corruptly obtained Fall's dominating influence in furtherance of the venture. It is clear that, at the instance of Doheny, Fall so favored the making of these contracts and leases that it was impossible for him loyally or faithfully to serve the interests of the United States. The lower courts for that reason rightly held the United States entitled to have them adjudged illegal and void.

The words granting authority to the Secretary are "use, store, exchange, or sell" the oil and gas products. As the Secretary, among other things, was authorized until July 1, 1922, to use money out of the appropriation to "store" oil and gas products from these lands, it will not be held, in the absence of language clearly requiring it, that he was also empowered without limit to use crude oil to pay for additional storage facilities. Unless given him by "exchange" the Secretary had no power by such contracts to locate or construct fuel depots. It is not contended that the clause confers unlimited authority, and the petitioners say that the word "exchange" must have some reasonable limitation. But they insist that it is broad enough to authorize the contracts. If it is, there is no reason why crude oil may not be used to pay for any kind of construction work or to purchase any property that may be desired by the department for the use of the Navy.

The purpose and scope of the provisions are limited to the administration of the reserves. The clause is found in a proviso to an appropriation for an investigation of fuel adapted to naval requirements and the availability of the supply in the naval reserves. If "exchange" has the meaning contended for by petitioners, it must be taken to indicate that Congress intended by the clause in question not only to restore to the Secretary authority in respect of fuel depots that had been taken from him by the act of March 4, 1913, but also to enable him by means of contracts and leases such as these to reserve, if he saw fit, the established policy of the Government as to the petroleum reserves. The circumstances of the enactment as well as the terms of the provision indicate a purpose to authorize exchange of crude petroleum from these reserves for fuel oil and other petroleum products suitable for use by the Navy.

The Secretary was not authorized to refine the crude product. A draft of the act included that authority, but the word "refine" was stricken out. This made necessary the exchange of the crude product for fuel oil and other products suitable for use. Whatever the meaning rightly to be attributed to the words employed, it is clear that they stop short of authorizing the Secretary to pay for improvements such as were covered by the contracts.

Mr. FLETCHER. Was there any dissenting opinion?

Mr. WALSH of Montana. The opinion is by the court, without any dissent, Justice Stone not participating by reason of the fact that he was in some way disqualified.

Mr. BORAH. I did not catch what the Senator said about a dissent.

Mr. WALSH of Montana. There was no dissent. Justice Stone did not participate in the decision.

Mr. WALSH of Massachusetts. Who wrote the opinion?

Mr. WALSH of Montana. The opinion is by Mr. Justice Butler.

I inquire of the Chair whether I would be in order now in addressing the Senate in accordance with the notice heretofore given.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Chair must advise the Senator that under the terms of Rule XXII the measure covered by the cloture motion must be considered to the exclusion of every other measure. That is now the unfinished business.

PUBLIC UTILITIES

Mr. WALSH of Montana. Mr. President, on a number of occasions within recent years I have sought to revive in some slight measure the concern once generally felt toward the concentration of capital through the consolidation of independent industrial units, entailing often the elimination of competition and in any case threatening the other evils attendant upon monopoly. The alarm excited by this movement in its relatively feeble beginning gave rise to the Sherman Antitrust Act of 1890, which remained innocuous through the indifference or lack of sympathy with its purposes on the part of the responsible officers of the administration then in power and that which followed it, though the enactment of the law probably had some influence in checking, for the time, further combinations of the character it was designed to arrest or dissolve. It was eagerly resorted to for the purpose of harassing organizations of laborers, a class for whom the sponsors of the legislation hoped it would be a shield, while, so far as the offending corporations at which it was aimed were concerned, the teeth were believed to have been drawn from the law by the decision of the Supreme Court of the United States in *United States against Knight*, announced in 1895. The presentation of that case does no credit to the Department of Justice under President Cleveland. Had the actual facts been developed as they were in later cases in which the principle it stood for was vainly appealed to, the result might have been otherwise, but it is difficult to divest the mind of the view that a different spirit came later to prevail in the court. Anyway, it was followed during the administration of President McKinley by a perfect orgy of trust breeding, possibly having some relation to the circumstances under which he was elected, continuing until it was brought to an abrupt halt by the prosecutions instituted under the direction or, at least, the inspiration of President Roosevelt.

The revival of the purpose to exterminate the trust evil was reflected in the enactment, during the Wilson administration, of the Clayton Act and the Federal Trade Commission law, but with the advent of that of President Harding, a subsidence of public interest in the repression of monopolistic combinations of capital ensued and a corresponding resurgence of the movement so generally deplored and so resolutely battled.

It is doubtful whether in the heyday of trust organization following the McKinley election the antitrust law was more boldly defied or more generally and notoriously violated than in the past five years.

In January, 1926, the assistant to the Attorney General charged with the duty of enforcing the antitrust laws told the House Committee on Appropriations: "You can not pick up a paper without reading of some merger in business." So secure have the projectors of giant combinations of capital come to regard themselves that they even dared to attempt to monopolize the production and sale of the daily bread of the people of the Nation; and though the more inclusive project was halted through the action of the Department of Justice, a constituent consolidation that invaded even the Capital of the Republic and absorbed its largest producer of that staple food, a combination of some twenty-odd companies, with headquarters in Atlantic coast cities and operating nearly one hundred commercial bakeries producing 1,000,000,000 pounds of bread annually, has been allowed to carry on without even being required before any court or other tribunal to justify its existence. Whether the daring of these contemnors of the law was to any extent induced by the appointment of Harry Daugherty as Attorney General of the United States or the attempt to elevate Charles B. Warren to that responsible office is a matter for speculation. Changes in the personnel of the Federal Trade Commission are popularly believed to have given them further encouragement and to have transformed that organization into an agency either neutral or subservient to their purposes.

Concomitant with the resurgence of the movement toward concentration has come subsidence of the interest of the general public in the question involved. The results at best were disappointing and more recent events adverted to have led to a feeling of utter helplessness and hopelessness.

Resolutions adopted by the Senate three years ago directing the commission to inquire into certain alleged combinations in restraint of trade have not yet brought more than unimportant interim reports, part of the delay being due to the suspension of the investigation for five months to await an opinion from the Attorney General on whether the commission was required to observe the injunction of the Senate in view of a rider on an appropriation bill.

On April 19, 1926, there was referred to the Committee on Interstate and Foreign Commerce a resolution introduced by me directing the commission to inquire into a dozen or more business combinations reported in the public press, the circumstances thus reported affording ground for the belief that they were illegal. Though the available facts were laid before the committee promptly, the resolution still awaits its action, some of the members who might otherwise be disposed to report it favorably withholding their support because convinced of the utter futility of reposing in the commission as at present constituted any duty such as that contemplated by the resolution.

The general subject has drawn from Prof. William Z. Ripley, of Harvard, three articles published in the *Atlantic Monthly*, widely read and commented on, in which he refers to the incredible number and gigantic character of such combinations launched in recent years and points out new perils attendant upon them. He calls attention, among other features giving rise to concern, to the vastness of the territory into which their ramifications extend, to the control upon control until at times as many as half a dozen organizations intervene between a particular corporate unit and the central governing body; to the intricacies of the financial structure including no par stock, and nonvoting stock insuring permanence of control by a limited number on the inside, to the paucity of information afforded stockholders in reports giving the crowd in control an advantage in market dealings in the shares involved and to many old abuses in new form and others never known before.

The articles referred to, revised, and expanded have been collected in a book by the author, just off the press, taking its title from one of them, "Main Street and Wall Street," expressive of the passing of control of the plants supplying communities, large and small, or being operated therein, from the local people, through whom they were originally installed and developed, to the financial giants of the great commercial centers, usually a banking group.

The tendency toward centralization in industry is particularly noticeable in the field of public utilities, where are exhibited as well many, if not all, of the vices of corporate organization and management, to which attention is so pointedly directed by the writer referred to.

The growth of the industry in question has been phenomenal. The gross revenues from the sale of electrical energy have risen from \$336,950,000 in 1914 to \$1,470,000,000 in 1925, over 300 per cent, and the energy developed from 13,000,000,000 kilowatt-hours to 59,000,000,000 kilowatt-hours, about 450 per cent. The purposes to which such energy are applied continue to multiply, and the demand for it constantly increases. It serves equally well to move giant loads, as in the hauling of trains or the hoisting of ore, and to operate the delicate implements employed in dentistry. Its generous use in all forms of industry is assigned by investigators from abroad, economists, business men, and representatives of labor organizations as one of the prime reasons for our supremacy in so many lines. It is being employed more and more in the household, driving much of the drudgery therefrom. It provides refrigeration on the one hand and heats the curling iron and toasts the bread on the breakfast table on the other. The light and power industry has, it is asserted, an invested capital of \$8,400,000,000. The financing done by public utilities in the year 1925, which drew for power on natural and artificial gas, as well as electrical energy from other sources, amounted to nearly \$1,500,000,000, and there was invested in it in that year a sum greater than the new capital attracted by the railroads, steel, copper, automobiles, rubber, shipping, and oil combined. New capital went into the business in 1923 to the amount, in round numbers, of \$250,000,000; in 1924, of \$496,000,000; in 1925, of \$520,000,000; and in 1926, of \$464,000,000.

In 1926 the light and power industry sold energy measured in kilowatt-hours 12.4 per cent in excess of that sold in 1925, and received 11.4 per cent more revenue. There has been a 74 per cent increase in the amount of energy sold since 1923.

Very naturally this expansion of the business has been attended with the organization of many new operating companies, with refinancing to meet the enlarged demands and opening opportunities, and conspicuously with the consolidation of going concerns through holding companies, or by the acquisition by operating companies of some or all of the stock of others, or through the direct purchase of properties in operation. Almost invariably such ventures are accompanied with the issuance of securities of one kind or another, usually of several kinds, stocks—common and preferred—not infrequently more than one variety of each—bonds and debentures that are offered to the investing public and in sums staggering in amount absorbed. The Liberty loan campaigns at once inculcated thrift and stimulated investment in marketable securities of all kinds. The past five years have witnessed unexampled, almost feverish activity in transactions of the character referred to, induced not only by the increasing demands for energy but by the success of the industry generally evidenced by the phenomenal advance in the price of many of the leading stocks. Experience has led a long-suffering public to surmise that in such consolidations the stocks of the subsidiaries of the properties merged were, generally speaking, acquired at inflated values, affording an unsafe basis for the securities issued against them, or that the rates exacted of consumers from which interest and dividends must be met are unwarrantably high. Charles A. Gulick is authority for the statement that—

of recent years the competition between rival holding companies to extend their holdings has been terrific. In their eagerness to secure a local property they have in numerous instances given more of their securities for it than it was really worth with the result of inflating their own capitalization.

Tables showing the mergers effected in 1925 and in 1926 published in the *Electrical World*, copies of which are on the desks of Members, and I ask that they may be printed as an exhibit to my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

[See Exhibit A.]

Mr. WALSH of Montana. Mr. President, these tables show the startling extent to which the movement has advanced, affording abundant ground to accept the report that notwithstanding new development the number of operating companies decreased in the four-year period following 1920 from 6,355 to 4,827. The operations of some of the consolidations extend over immense areas. The Middle West Utilities has properties in 21 States and Mexico; the American Power & Light in 11 States; the National Electric Power in 16 States, and the Cities Service in 19 States. The ramifications of four of the great holding companies used for purposes of illustration are shown on the charts on the wall.

Chart No. 1 shows the holdings of the Middle West Utilities Co., the Samuel Insull Co., which among others controls the New England Public Service Co., which in turn controls the National Light, Heat & Power Co., which controls the Twin State Gas & Electric Co., which controls the Hoosick Falls Electric Co., the Bennington Electric Co., the St. Johnsbury Electric Co., and the Berwick & Salmon Falls Electric Light Co., all of which last-named companies operating in remote sections of New England are in the fourth degree removed from the central controlling organization with headquarters in the city of Chicago.

Chart No. 2 represents the interests of the Associate Gas & Electric Co., the J. G. White Co., spread over New York, Pennsylvania, New England, Kentucky, Tennessee, and Indiana, including the Associated Electric Co., which controls an organization known as the Pennsylvania group, including the Venango Public Service Corporation, which controls the Northwestern Public Service Corporation of Pennsylvania and the Warren Street Railway Co.

The Cities Service Co., Chart No. 3, the master mind in which is Henry L. Doherty, controls subsidiaries with capitalization of upwards \$600,000,000. Its organization, though extensive in respect both to the number of subsidiaries and the territory in which they operate, is relatively simple, as shown by the chart.

The Standard Gas & Electric Co., the Byllesby Co., Chart No. 4, is the giant among giants with subsidiaries whose capitalization aggregates \$1,171,000,000, all of which it controls through its own stock issue of \$197,976,400. Its organization is intricate and involved. In the primary group under its control is included the Standard Power & Light Co., which controls the Pittsburgh Utilities Co., which controls the Philadelphia company, which controls the Pittsburgh Railways Co., which controls the Consolidated Traction Co., which controls

the Fort Pitt Traction Co., which controls the Allegheny Traction Co., which controls the Millville, Sharpsburg & Etna Railway Co., eight steps away from the central governing authority. Just how this company, whose capital stock is but about one-fifth of the total stocks and bonds of its subsidiaries, exercises control over them my investigations have not disclosed, but some idea of the system may be gathered from a consideration of the financial set-up of the Associated Gas & Electric Co. Its bonds and debentures, preferred stock, common stock, class A stock, and class B stock, total \$155,200,565. The sole voting power is vested in the class B stock to the amount of \$10,500,000. Its subsidiaries are capitalized at \$205,209,395, making a total capitalization of \$360,409,960 under the control of stockholders owning a little over \$5,000,000 of B stock, less than 1½ per cent of the interests affected. Doubtless the case cited is exceptional, but it is offered only as suggestive. Quite aside from the restricted voting power it is now generally recognized that in the case of any corporation whose stock is more or less widely distributed, the ownership of stock to the amount of 20 to 33½ per cent of that outstanding by the directors or those with whom they habitually act or whom they, in fact, represent, suffices for all practical purposes to control. Other great groups with their capitalization and that of their subsidiaries are listed in the following table:

Name of holding company	Capitalization of holding company	Capitalization of subsidiaries	Total capitalization
Standard Gas & Electric Co.	\$212,476,400	\$1,171,204,125	\$1,384,680,525
Cities Service Co.	210,816,978	611,702,103	822,519,081
Middle West Utilities Co.	84,806,200	552,697,737	637,503,937
Associated Gas & Light Co.	155,200,565	205,209,395	360,409,960
Consolidated Gas Co.	98,000,000	603,500,650	701,500,650
Electric Power & Light Corporation	351,543,500	311,398,978	662,942,478
American Public Utilities Co.	9,693,730	88,516,300	98,210,030
American Light & Traction Co.	49,033,800	72,024,760	121,058,560
Electric Bond & Share Securities Corporation	180,287,000	458,181,290	638,468,290
American Power & Light Co.	237,166,200	600,924,300	838,090,500
The National Public Service Corporation	70,925,400	227,886,405	298,811,805

Whether the centralization thus taking place is a natural development redounding to the interest of the public and therefore to be encouraged, or whether it is fraught with perils and likely to be attended with abuses, the consequences of which outweigh any good to be anticipated, is a subject that has evoked much discussion. Instinctively the American people view with alarm any such development. They are prone to believe that the concentration of wealth means the concentration of political power. They associate transactions such as those implied in the movement with attempts at monopoly though they realize that in most instances the operating companies absorbed are not competitive, each doing business within a limited field. They look for financing in connection with it more or less questionable in character, and the issuance of securities in unreasonable amounts to pay dividends upon which rates will be demanded upon the specious plea that such securities have passed into the hands of innocent holders. Similar mergers and reorganizations have given rise to tales of fabulous fortunes realized out of the sale of the properties involved or of the stock representing them or those brought into being in the new financing. The reflecting easily reach the conclusion that an equivalent loss must fall upon the consumers in the rates they pay or upon the investors in the securities which do not meet the roseate expectations with which they were acquired. Such tales are current in connection with the utility mergers of recent years. I hesitate to specify the almost unbelievable sums given to me on what seems reasonably reliable authority as having been realized by some of those on the inside in transactions of that character. So sedate a financier as Samuel Insull, the head of one of the great holding companies, in an address delivered in July, 1925, warned those undertaking new financing in public utilities against the issuance of securities upon inflated values. Other conservative managers of light and power plants have been equally outspoken.

The Journal of Commerce of November 6, 1925, carried an article by one of its staff apparently, headed "Holding companies suffering from inflation," the opening paragraph of which reads as follows:

Both inflation and overcapitalization are alike affecting the public utility business adversely at the present time, according to a growing opinion that is entertained by investment authorities in that field of business.

The assertion so made it proceeded to demonstrate by giving a list of companies whose capitalization seemed out of all

proportion to the earnings per share. In its issue of October 28, 1925, it said:

There is a general opinion in expert circles that under the influence of the present strong demand for stocks, and in view of the excellent opportunity for distributing new securities that now exists, many weak concerns are pushing out numerous securities that will not prove self-supporting. Not only the weaker concerns of this kind, but some of the stronger have apparently been overcapitalizing the future by going ahead with offerings that can only be sustained through very successful business on practically the lines now being followed, and by maintenance of the volume at present enjoyed, for a good while to come.

On the other hand, the holding company is extolled with much justification as a device of high merit introducing economies that permit and lead to reductions in rates and consequent saving to the consumer. It is advanced that through it the little local company gets the benefit of supervision and direction by the highest engineering talent; that the stronger credit position of the holding company enables it to secure advances for the operating companies to install improved equipment on more favorable terms; that the needs of the various communities linked may be supplied by a lesser number of units; that plants, the heaviest draft on which is for night service, may be utilized to help out others supplying day service chiefly, and that in like manner the excess capacity of any plant may be utilized in the adjacent territory of another in which the equipment is unequal to the demand.

Just how far the economies thus rendered possible have been reflected in reduced rates to the consumer will be considered later. The president of the Hartford Electric Light Co., in hearings before the Connecticut Public Utilities Commission, after descending upon the economies possible under mergers remarked:

But what is the value of economies to the communities if in order to effect them it has been necessary to capitalize the savings for years to come and in their capitalized form to donate them either to the former stockholders or to the speculative banker who brought the parties together.

Unquestionably the more recent movement toward centralization has been induced and accelerated by the profits realized in the business which has been enormously profitable. In no other way is the extraordinary rise in the price of the stocks of many of the companies—holding and operating—explicable.

The following tables, one taken from an article in the New Republic, by Stuart Chase, and the other from the Electrical World of January 2, 1926, show respectively the advances in some such during the five years ending in 1925 and the net advances during that year.

Public utility holding companies "high" stock quotations

Year	American Gas Co.	American Light & Traction Co.	American Water Works & Electric Co.	Cities Service Co.	Middle West Utilities Co.	North American Co.	Public Service Co. of Northern Illinois	Standard Gas & Electric Co.	Columbia Gas & Electric Co.	Western Power Corporation
1921	49	112	6	259	24	46	82	17	68	30
1922	84	150	33	242	54	106	108	21	114	42
1923	85	139	45	195	53	124	104	32	114	30
1924	140	140	144	190	92	1450	112	50	144	45
1925	79	249	260	190	112	1687	126	59	240	86

¹ After allowing for reduction of par value from \$100 to \$10.

² After allowing for exchange of one old share \$100 par value for three new shares of no par value.

³ After allowing for exchange of five shares of new stock for one share of old stock, November, 1924.

⁴ After allowing for five to one exchange. April, 1925.

1920 net advance in stocks

	Close, 1924	Close, 1925	Year's net gain
New York Stock Exchange:			
American & Foreign Power ¹	27¼	40½	13½
American Water Works & Electric	39	69½	30½
Brooklyn Edison	120½	135	14½
Detroit Edison	112	136½	24½
Havana Electric ¹	112	237	125
Montana Power	71	77½	6½
North American	42½	63¼	20½
Pacific Gas & Electric	103½	130½	27
Public Service of New Jersey	69½	79½	10½
Standard Gas & Electric	40½	56¼	15½
New York curb market and unlisted:			
American Light & Traction	141	232¼	111½
American Public Utilities	75	80	5
Arizona Power	15	34	19
Arkansas Light & Power	68	147	79

1920 net advance in stocks—Continued

	Close, 1924	Close, 1925	Year's net gain
New York curb market and unlisted—Continued.			
Commonwealth Power ¹	32¼	38¾	6½
Columbus Electric & Power	118	150	32
Commonwealth Edison	133	140	7
Continental Gas & Electric	88	155	67
Central States Electric	77	210	133
Dayton Power & Light	180	430	250
Eastern Texas Electric	72	90½	18½
Georgia Railway & Power	68	147	79
Jersey Central Power & Light	18	50	32
Lehigh Power Securities	116	179½	63½
Middle West Utilities	94	113½	19½
National Power & Light ²	16	34½	18½
Northern States Power	105	131½	26½
Penn Water & Power	110	160	50
South Eastern Power & Light ³	12	42	30
United Light & Power ⁴	86	128	42

¹ 1924 low.² 1924 closing price of 129 is recorded as 32¼ since the stock was split on a basis of 4 to 1.³ 1924 closing price of 60 is recorded as 12 to account for a 5 to 1 split in the shares.⁴ 1924 close of 240 is taken as 16 on account of a 15 to 1 split up.

Opportunity has not been afforded me to verify the figures in the table from the New Republic first above set out. Moody gives the high figures for the companies listed as follows:

Year	Amer- ican Gas Co.	Amer- ican Light & Traction Co.	Amer- ican Water Works & Elec- tric Co.	Cities Service Co.	Middle West Utili- ties Co.	North Amer- ican Co.	Public Service Co. of North- ern Illinois	Stand- ard Gas & Elec- tric Co.	Colum- bia Gas & Elec- tric Co.	West- ern Power Corporation
1921	49	102	6¼	255	24	67	81½	13	67	30½
1922	84	165	33¼	242	53	106¼	108	21	114	42¼
1923	85¼	140	44	195½	54	24¼	104	30½	37	35½
1924	140	148½	41	190	92	45	112	41¼	48	45
1925	217¼	288	76¼	43	125	75	132	61	86	80½

They do not fully accord with those given by Mr. Chase but the difference is not sufficiently great to disturb the conclusion that the rise has been most extraordinary.

It is explained that the profits reflected in the rise in the price of the stocks of these companies, so gratifying to those so fortunate as to own them, is due to technical improvements in the industry reducing the cost of producing the energy. Undoubtedly they have been a contributing factor, probably an important one, but there is abundant reason to believe that other causes were at work. It is asserted that the rates were advanced, and probably properly advanced, during the war to meet the general rise in prices, occasioning increased cost of generating energy, and that they have not come down since, though prices generally have declined, and with them has ensued a substantial reduction in operating costs, increasing the margin of profit. It is an old story that rates are advanced with relative ease, the companies always being prepared to make the necessary showing and prompt to apply when the circumstances warrant an advance, but that they come down more leisurely, because no one has any special interest in moving for a reduction which must await some organization for concerted action with comparatively meager information of a reliable nature or means of securing the same. The Journal of Commerce supports the contention that the industry is enjoying the benefits of war rates, saying:

The basis on which the expansion has proceeded is partly because of advances in rates of charges which were obtained immediately after the war while prices were still very high. Prices have since then dropped, but rates of charge have continued to maintain themselves.

It is advanced, however, by those who speak for the utility companies that rates have regularly declined since 1920, and figures furnished by the Census Bureau lend apparent support to this view. They are shown in the accompanying table of statistics of the industry:

Essential facts about the power industry, 1920-1925

	1920	1921	1922	1923	1924	1925
General development:						
1. Production, kilowatt-hours						
millions.....	39,518	36,970	43,559	51,132	54,413	59,517
2. Production relative to 1920						
per cent.....	100	93.6	110.2	129.3	138.3	150.6
3. Per cent of potential water power developed	22.8			26.1		28.8

Essential facts about the power industry, 1920-1925—Continued

	1920	1921	1922	1923	1924	1925
General development—Contd.						
4. Per cent of water power developed to total power developed				37.4	36.1	36.2
5. Per cent of total population living in electric lighted dwellings	35.1	37.5	38.9	44.7	50.7	54.4
6. Amount of coal per kilowatt-hour.....pounds	3.2					2.1
7. Length of transmission lines.....circuit miles				86,290	94,880	102,270
Financial and operating:						
8. Capitalization end of year						
millions.....	\$4,400	\$4,800	\$5,200	\$5,800	\$6,600	\$7,500
do.....	\$382.7	\$994.4	\$1,072.1	\$1,269.5	\$1,354	\$1,470
9. Gross revenues.....do.....						
per cent.....	100	112.6	121.4	143.8	153.4	166.5
10. Gross revenues relative to 1920.....per cent						
per cent.....	100	112.6	121.4	143.8	153.4	166.5
11. Operating ratio, July peak.....per cent	65.9	56.2	56.1	53.2	56.1	52.1
12. Operating ratio relative to 1920.....per cent	100	85.3	85.2	80.7	85.2	79.1
13. Retail lighting rates.....cents	8.0	7.9	7.8	7.7	7.6	7.5
14. Retail rates relative to 1920.....per cent	100	98.75	97.5	96.25	95	93.75
15. Purchasing power of the dollar relative to 1920.....per cent	100	125.3	131.7	126.4	126.4	121.2
16. Retail lighting rates at 1920 purchasing power.....cents	8.0	9.89	10.27	9.73	9.6	9.1
17. Per cent increase in retail lighting rates at 1920 purchasing power.....	100	123.6	128.3	121.6	120	113.8
18. Average increase over 1920 in purchasing power of retail lighting rates for 5 years (1921-1925).....per cent						21.4

All base figures (lines 1, 3, 4, 5, 6, 7, 8, 9, 11, 13) from the Electrical World, Jan. 2, 1926.

It shows the average retail lighting rate to have been in 1920, 8 cents per kilowatt-hour; 7.9 in 1921; 7.8 in 1922; 7.7 in 1923; 7.6 in 1924; 7.5 in 1925. There has, notwithstanding these figures, I am informed, been no substantial reduction, at least no general reduction in basic rates since 1920, the fall in the rate per kilowatt-hour being due to the fact that rate structures are made on a sliding scale, the greater the amount of energy taken by the consumer the lower the rate at which he pays. Accordingly, as the consumption increases—and, as shown, it has increased and is increasing enormously—the lower the unit price falls.

Mr. NORRIS. Mr. President—
The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. WALSH of Montana. I yield.
Mr. NORRIS. The Senator is referring now to domestic rates?
Mr. WALSH of Montana. Certainly.
Mr. NORRIS. Those are rates which apply to homes?
Mr. WALSH of Montana. Exactly.
Mr. NORRIS. That is, for the year 1925?
Mr. WALSH of Montana. Yes.
Mr. NORRIS. It covers the entire United States?
Mr. WALSH of Montana. Yes.

Mr. NORRIS. I want to say to the Senator that the study I have made of it and some figures which I think I gave to the Senate the other day in a short address showed the same result, but I am interested to know where the Senator obtained his figures.

Mr. WALSH of Montana. The table I secured from an article in the New Republic, but the figures themselves are taken from the census reports. The same thing will be found in the Electrical World.

Mr. NORRIS. I took my figures from the Electrical World, which I assumed to be correct, and I am glad to see that I am vindicated by the census figures.

Would the Senator permit me to say in just a word that in the same year, 1925, when the average rate in the homes of the United States was 7.5 cents per kilowatt-hour in the Province of Ontario, Canada, where they have public ownership, at least in a modified form, or at least where there is no one who would get the profit out of it, the average domestic rate covering the whole Province was 1.85 cents per kilowatt-hour. I think that is exceedingly interesting when we compare the rate across the line in Canada with the average rate all over the United States for users of the service.

Mr. WALSH of Montana. I thank the Senator for his contribution.

Measured, however, on the basis of the purchasing power of the dollar relative to 1920, the rates quoted become, respectively, 8, 9.89, 10.27, 9.73, 9.6, and 9.1; that is to say, that the present rate of 7.5 cents, speaking as of 1925, has a purchasing power equal to 9.1 cents in 1920. The fall in prices generally has operated to give to the utility companies a better return at 7.5 cents per kilowatt-hour in 1925 than it had at 8 cents in 1920. The decline in prices generally since that time is shown in the following table, compiled from a bulletin issued by the Department of Labor:

Index numbers of wholesale prices by groups of commodities and by months

Average for year:	All commodities
1920.....	226.0
1921.....	147.0
1922.....	149.0
1923.....	154.0
1924.....	149.7
1925.....	158.7
1926.....	151.0

While on the basis of 100 for 1913, prices of commodities generally had risen in 1920 to 226, they had fallen in 1926 to 151. The real situation is more accurately disclosed by a set of figures in Moody's Public Utilities for 1926, as follows:

Average earnings per kilowatt-hour of the leading steam power companies

Year	Gross per kilowatt-hour	Cost per kilowatt-hour	Net per kilowatt-hour
	Cents	Cents	Cents
1920.....	2.263	1.624	0.639
1921.....	2.597	1.729	.868
1922.....	2.478	1.594	.884
1923.....	2.427	1.526	.901
1924.....	2.401	1.485	.916
1925.....	2.389	1.456	.913

From this table it appears that though the gross earnings per kilowatt-hour of the steam power companies producing electrical energy have declined steadily as the amount sold has increased from 1921, falling from 2.597 cents per kilowatt-hour to 2.369, their costs have fallen in the same period from 1.729 cents per kilowatt-hour to 1.45, while their net receipts have advanced from 0.839 in 1920 and 0.868 of a cent in 1921 and 0.913 in 1925. While an advance of 0.045 of a cent per kilowatt-hour in the net returns to the industry may seem trifling in amount, it means, if such advance is general, an added profit to the companies and a corresponding tax on the consumers to the extent of approximately \$20,000,000, sufficient to pay dividends at 8 per cent on stocks to the amount of \$250,000,000.

Mr. NORRIS. Mr. President, will the Senator yield again?

The PRESIDING OFFICER. Does the Senator from Montana further yield to the Senator from Nebraska?

Mr. WALSH of Montana. Yes; I yield.

Mr. NORRIS. That reminds me—and I should like to give the information to the Senator—that if in the United States in 1925, just one year, on domestic rates that the Senator gave a while ago and which I compared with those of Ontario, Canada, if the people of the United States had paid domestic rates for electric light at the same rate that the people of Ontario paid during the same year they would have saved \$600,000,000.

Mr. WALSH of Montana. It is due to the hydroelectric power companies to say that while their profit per kilowatt-hour rose from 0.264 of a cent in 1920 to 0.309 of a cent in 1921 it has steadily declined since until in 1925 it stood only 0.002 above the level of 1920.

Equally illuminating is a table prepared by Stuart Chase, formerly with the Federal Trade Commission, showing the net annual income of some of the more prominent companies for the four years following 1920, compiled, as I assume, either from their reports to stockholders or to the New York Stock Exchange. It is as follows:

Public utility holding companies
(Net income in thousands of dollars)

	1921	1922	1923	1924
American Gas Co.....	497	997	1,154	1,264
American Light & Traction.....	3,511	4,053	3,969	4,647
American Power & Light Co.....	1,003	1,633	3,085	3,791
Cities Service Co.....	11,798	13,089	14,984	17,540
Columbia Gas & Electric Co.....	3,455	4,234	5,556	6,707
Middle West Utilities Co.....	1,506	1,990	2,743	3,927
North American Co.....	3,471	6,094	9,385	10,583
Public Service Co. North Illinois.....	1,580	1,835	2,434	3,206
Standard Gas & Electric Co.....	2,071	2,461	3,338	4,560
United Light & Power Co.....	8,956	10,687	12,458	13,629
Western Power Corporation.....	1,844	1,722	1,480	1,346
Total, 11 companies.....	39,692	48,805	60,526	71,194

From this it appears that the net income of the companies listed has risen by fairly regular gradations from a total of \$39,000,000 in 1921 to \$71,000,000 in 1924.

It is not strange that the showing made should have stimulated the strong companies to extend their holdings by purchase and new construction, and promoted the organization of new holding companies seeking to share in the rich rewards offered by the business, giving rise to rivalry in the acquisition of the stocks of operating companies, and to the issuance of securities supported mainly by earning power in amount out of all proportion to the value of the physical assets upon which they rest, such securities being freely purchased in the speculative fever engendered by the conditions here feebly outlined. The extent to which earning power has been capitalized I have not been able to ascertain, but some figures furnished by Moody's Public Utilities are suggestive. It tells us that at the close of 1924 the obligations of light and power companies (bonds and notes) aggregated \$3,882,829,000. At the close of 1925 similar issues amounted to \$4,551,354,000, an increase of \$668,525,000. The stocks outstanding when 1924 came to an end footed \$2,209,129,000; at the end of 1925, \$3,260,652,000, or an increase of \$1,051,523,000. Adding to this the increase in obligations, as stated, \$668,525,000, the result is a total of all securities issued during the year 1925 of \$1,720,048,000. The same authority reports that the total value of additions and extensions to light and power plants, transmission systems, and distributing systems during 1925 amounted to \$636,350,000. Deducting this sum from the total of the securities issued—\$1,720,048,000—leaves \$1,083,698,000; which means that, save for such securities as represented the acquisition by holding companies of the stocks of the subsidiaries at a fair value, there were issued in that year securities of the class indicated to the amount of approximately a billion dollars, capitalized earning power and roseate expectations.

The Commercial and Financial Chronicle for December 18, 1926, gives the total public utility securities issued for the 11 months ended November 30, 1926, as \$1,496,748,674, including bonds, notes, and stocks. The Electrical World slightly more conservative fixes the aggregate for the year at \$1,395,564,982. Moody estimates the cost of additions and extensions to plants in 1926 at \$683,890,000, from which it results that securities were issued, taking his figures for 11 months of 1926, in amount in excess of the cost of additions and extensions, \$812,856,674, the spread between total investment in plants during the two years 1925 and 1926 and the securities issued, if the figures quoted are reliable, amounting to approximately \$2,000,000,000. The more or less inconsequential discrepancy between the figures given by the authorities to which reference has been made doubtless arises from the different value assigned to no-par stock.

The Electrical World presents a table in its issue of January 2, 1926, in which the total sales of power and light securities for 1925 are given at \$1,271,000,000, its figures on expenditures for additions and extensions being those given by Moody—\$636,350,000. What value is assigned to no-par stock is not disclosed, and it does not appear whether "stock sales" embrace all stock issued. Without endeavoring to harmonize the figures or pursuing any inquiry as to which set is the more reliable it is indisputable that in the past two years new securities have been put out totaling anywhere from a billion and a half to two billions more than the new capital that has gone into additions and extensions.

I must remark that in that immense sum is included whatever securities were sold or exchanged to meet the cost of old properties acquired either through direct purchase or by taking over the stock of subsidiaries and securities issued as stock dividends.

Nominally all of it, not including securities of the class last named, went for that purpose and to meet expenditures incident to the transactions involved. But the conclusion is inescapable that no inconsiderable part of the vast aggregate is pure water or thin air, which the public has been led to accept on no better basis than earning power, which means that unwarrantable exactions have been capitalized. It is asserted, however, that such a conclusion is impossible, seeing that rates for power and light are now regulated and controlled by commissions or boards in all but 12 States of the Union. It is in this connection that the revelations of the Reed committee of the contributions of mammoth sums by officials of public-utility corporations for campaign purposes assumed a most seriously sinister significance, and particularly so when the wide field in which their influence on political action is felt is considered.

I am not prepared to offer any suggestions as to what ought to be done by the Congress or by anyone, in view of the conditions scarcely to be controverted. Nor am I prepared to assert

that anything can be done except in so far as the business under consideration is interstate in character. In that respect the power of Congress is indubitable and perhaps ought to be exercised, in view of the fact that the Supreme Court has held that in the case of gas or electrical energy produced in one State and passed into another neither State has any power to fix rates or otherwise to regulate the traffic. It has, indeed, held that rates charged consumers may be established or regulated by the State of consumption, though the gas or energy, as the case may be, is brought by the distributing company from another State; but the effect of that decision is easily obviated by the organization of a distributing company to which the producing company sells its product originating in another State. It is offered that the situation so arising may be met by the joint action of the commissions of the States concerned, but assurance is lacking that they will in all cases come to an agreement, and even then the transmitting company would be under no obligation to observe any order thus made in the absence of congressional legislation sanctioning that method of regulating interstate trade.

That feature is not of immediate pressing importance, only about 5 per cent of the output of the utility companies passing in interstate commerce, but the quantity is increasing and provision perhaps should be made for the resolution of controversies of very considerable consequence sure to arise. The holding company, though it exercises supervision and control over subsidiaries operating in half of the States of the Union, is not engaged in interstate commerce. Not being public utilities, the securities issued by them are in most States not subject to control by the local regulatory authorities. But being nationwide, it may be said, in their activities, Congress may very properly inquire into their organization and their operations with a view to determining whether it may, as well as whether it should, attempt any regulation of the business they conduct, having in mind the interests of the consumer on the one hand and the investor on the other.

If the investigation contemplated by the resolution is ordered the committee conducting it should not only develop the facts, knowledge of which is essential to any action, but should from all reliable and well-informed sources enlist expressions as to what action should be taken. That some such study ought to be prosecuted with a view to ridding the industry of abuses quite generally acknowledged to exist is recognized in business circles.

Reference has been made to articles appearing in the Journal of Commerce during the months of October and November, 1925. In its issue of November 17, 1925, the public was advised through the same medium that, to quote:

Current news is to the effect that the administrative board of the American Engineering Council will present to the latter body early in January a plan for a national survey of public utilities. The investigation now projected is said to be intended to cover questions of Federal versus municipal regulation, the constitutional status of regulation, theories of valuation, questions of rate making, and standards of service. With so extended a scope for the proposed investigation, it may well be inquired whether the industry would not do well to include also such questions as its financial status, the problem of capitalization, and its relation to "blue-sky" legislation.

Further news from the same article is as follows:

Recent speakers at meetings in this city have noted the growth of evils on the part of holding companies engaged in consolidating public-utility enterprises and have been disposed to deplore the lack of adequate regulation of these companies which has led to the growth of abuses and, to some extent, popular misunderstanding and prejudice.

Apparently the situation is regarded as critical in investment circles, for we are told in the same article:

Not very long ago influential investment bankers requested President Coolidge to consider the idea of presenting to Congress suitable Federal legislation relating to the issue and sale of securities. They included public-utilities securities in their general recommendation, and it was the opinion of some, at the time, that evils in connection with such securities were among the moving factors which had induced them to press the recommendation at that moment. Nothing has since been done and it is still an open question what Congress will do.

If justification were needed for bringing this matter to the attention of Congress, it is afforded by the foregoing, and I should have considered myself as derelict in my duty as a Member of this body had I timorously listened to the admonitions of interested parties that the credit to which legitimate enterprises are entitled would be impaired or capital needed for such would disappear if an effort were made to uncover abuses in the great industry to which these remarks have been directed with a view to the correction of the same.

EXHIBIT A
Mergers of central station systems during 1925

Companies involved	Territory served	Capitalization	Date of merger
Adirondack Light & Power Co.: Warrensburg Electric Light Works.	Warrensburg, N. Y., and vicinity.	\$32,000	May. ¹
Bolton Light & Power Co.	Bolton Landing, N. Y., and vicinity.	25,000	Do. ¹
Alabama Power Co.: Andalusia Light & Power Co. Sheffield Co.	Andalusia, Ala., Sheffield, Ala., and vicinity.	15,000 700,000	June. ¹ May.
Birmingham, Montgomery & Gulf Power Co.	Alabama.		June. ¹
Alexandria Light & Power Co.: Fairfax & Loudon Light & Power Co.	Northern Virginia.	1,000,000	March. ¹
American Gas & Electric Co.: Virginian Power Co.	Charleston, W. Va., and vicinity.	15,000,000	February.
Appalachian Power Co.	Virginia and West Virginia.	32,693,308	Do.
American Power & Light Co.: Northwestern Electric Co.	Portland, Oreg., Vancouver, Wash., and vicinity.	24,834,482	Do.
Bend Water Light & Power Co.	Bend, Oreg.	758,047	May. ¹
Superior Water, Light & Power Co.	Superior, Wis., and vicinity.	4,862,395	August. ¹
Appalachian Power Co.: Rocky Mount Light & Power Co.	Rocky Mount, Va.	20,000	October. ¹
Associated Gas & Electric Co.: Ridgefield Electric Co.	Ridgefield, Conn., and vicinity.	40,000	February. ¹
Depew & Lancaster Light, Power & Conduit Co.	Outskirts of Buffalo, N. Y.	3,515,984	April. ¹
Pennsylvania Electric Corporation.	Pennsylvania and Maryland.	88,137,772	August. ¹
Litchfield Electric Light & Power Co.	Litchfield, Conn., and vicinity.	1,279,258	Do. ¹
Iroquois Utilities Co.	Western New York.	1,256,000	March.
Champlain Electric Co.	Champlain, N. Y.	1,84,000	June.
New York-Vermont Interstate Power Co.	Eastern New York and Vermont.		Do.
Harlem Valley Electric Corporation.	Pawling, N. Y., and vicinity.	150,000	Do.
Bangor Hydro Electric Co.: Bangor Railway & Electric Co. Bangor Power Co.	Bangor, Bar Harbor, Me., and vicinity.	11,253,232	February.
Lincoln Light & Power Co.: Binghamton Light, Heat & Power Co.: Afton-Windsor Light, Heat & Power Co.	Central New York.	199,359	July.
Broad River Power Co.: Batesburg, S. C. municipal.	Batesburg, S. C.	137,500	January. ¹
Lexington Electric Light & Power Co.	Lexington, S. C.	10,000	February. ¹
B. J. Day, jr., property in Trenton.	Trenton, S. C.		June
Johnston Light & Ice Plant.	Johnston, S. C.	84,000	Do.
Columbia Gas & Electric Co.	Columbia, S. C., and vicinity.	13,595,774	July.
Parr Shoal Power Co.			Do.
South Carolina Power Co.			Do.
Central Carolina Power Co.			Do.
Public Service Co. of South Carolina.			Do.
Buffalo, Niagara & Eastern Co.: Niagara Falls Power Co.	Western New York.	84,300,564	May. ¹
Niagara, Lockport & Ontario Power Co.	do.	40,212,553	Do. ¹
Tonawanda Power Co.	do.	1,858,145	Do. ¹
Buffalo General Electric Co.	Buffalo, New York, and vicinity.	37,138,824	Do. ¹
H. M. Bylesby & Co.: Coast Power Co.	Tillamook, Oreg., and vicinity.	456,438	January. ¹
Douglas Light & Power Co.	Douglas, Wyo.	100,000	July. ¹
Falls City, Oreg., Municipal.	Falls City, Oreg.	19,000	Do. ¹
Wisconsin Public Service Corp.	Wisconsin and Michigan.	20,042,947	Do. ¹
Consumers Light & Power Co.	Ardmore, Okla., and vicinity.	2,000,000	August. ¹
California-Oregon Power Co.	Southern Oregon and Northern California.	19,347,682	November
Libby Water & Electric Co.	Libby, Mont.	1,131,000	Do. ¹
Calumet Gas & Electric Co.: Indiana Electric Utilities Co.	Angola, Ind., and vicinity.	386,400	February.
Calumet Power Co.	Indiana.	1,146,861	July.
Carolina Power & Light Co.: North State Power Co.	Wake, Harnett, and Johnston Counties, N. C.	207,000	February. ¹
Catskill Power Corporation: Rockland Light & Power Corporation (Hydroelectric property).	Rockland County, N. Y., and vicinity.	11,448,105	July. ¹
Central and Southwest Utilities Co.: American Public Service Co.: Public Service Co. of Oklahoma.	Texas, Oklahoma, Louisiana, Arkansas, Kansas, and Mississippi.	23,447,056 9,129,858 1,925,488	September. ¹ Do. ¹ Do. ¹
Chickasha Gas & Electric Co.		21,457,273	Do. ¹
Central Power & Light Co.			Do. ¹
Southwestern Securities Co.			Do. ¹

¹ Estimated. ² Date reported in Electrical World. ³ Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitaliza- tion	Date of merger
Central Illinois Public Service Co.: Alvin Grain & Electric Co. Galatia Municipal Thebes Municipal Wabash Utilities Co.	Alvin, Ill., and vicinity. Galatia, Ill. Thebes, Ill. Lawrence and Crawford Counties, Ill. Marshall and Martinsville, Ill.	\$17,000 52,000	December. ¹ June. ¹ December. ¹
Marshall Ice & Power Co.	Marshall and Martinsville, Ill.	52,000	Do. ¹
Central Iowa Power & Light Co. Grundy Center Electric Co.	Grundy Center and Holland, Iowa. Cherokee, Iowa, and vicinity.	95,000 117,000	February. ¹ June. ¹
Cherokee Electric Co.	Cherokee, Iowa, and vicinity.	117,000	Do. ¹
Gilmore City Electric Co.	Gilmore City, Iowa.	Do. ¹	Do. ¹
Central Maine Power Co.	Bethel, Me., and vicinity.	18,000	Do. ¹
Bethel Light Co.	Bethel, Me., and vicinity.	18,000	Do. ¹
Central Missouri Power & Light Co.	Moberly, Mo.	559,000	Do. ¹
Moberly Light & Power Co.	Huntsville, Mo.	25,000	Do. ¹
Huntsville Light & Power Co.	La Plata, Mo.	25,000	Do. ¹
La Plata Light, Heat & Ice Co.	Higbie, Mo.	5,000	Do. ¹
Citizens Electric Co.	Boonville, Mo.	75,000	Do. ¹
Boonville Light, Heat & Power Co.	Boonville, Mo.	75,000	Do. ¹
Central Public Service Co.: West Bend Heating & Lighting Co.	Wisconsin	200,000	August. ¹
Central States Power & Light Corporation:			
Northeastern Iowa Power Co.	Northeastern Iowa	4,977,351	July. ¹
Nebraska Electric Power Co.			Do. ¹
Central Light & Power Co. (N. Dak.)		150,000	Do. ¹
Arkansas Public Service Co.	Iowa, Nebraska, Missouri, North Dakota, and Arkansas.		Do. ¹
Hawkeye State Power Co.			Do. ¹
Southeast Missouri Public Service Co.			Do. ¹
Missouri Electric Power Co.			Do. ¹
Missouri Power & Development Co.			Do. ¹
Floresville Light & Power Co.	Floresville, Tex.	25,000	October. ¹
Burnet Light & Power Co.	Burnet, Tex.		Do. ¹
Bertram Light & Power Co.	Bertram, Tex.	275,000	Do. ¹
Properties in Round Rock, Hutto, Buda, Kyle, Stockdale, and Fluggerville.	Texas		Do. ¹
Champlain Electric Co.			Do. ¹
Champlain Electric Co.		22,500	June.
Plattsburg Gas & Electric Co.	Northeastern New York.	585,000	Do.
Chasman Power Co.		99,000	Do.
Boquet Electric Power Co.		34,000	Do.
Chickasha Gas & Electric Co.	Carnegie, Okla., and vicinity.	199,000	November. ¹
Carnegie Water Power Co.	New Orleans, La.	3,385,000	October. ¹
Citizens Light & Power Co.			
Consumers Electric Light & Power Co.	Dayton, Ohio and vicinity.	26,625,157	February.
Columbia Gas & Electric Co.	Dayton Power & Light Co.		
Columbus Electric & Power Co.	Albany, Ga., and vicinity.	2,595,000	August. ¹
Georgia-Alabama Power Co.	Tennessee	65,059,568	Do. ¹
South Georgia Public Service Co.			
Commonwealth Power Co.	Greenville, Mich.	300,000	June.
Tennessee Electric Power Co.			Do. ¹
Consumers Power Co.: R. J. Tower Electric Co.	Hailey, Idaho, and vicinity.	460,853	August. ¹
Consumers Public Service Corporation of Delaware: Wood River Power Co.	Salem, N. H.	51,000	December. ¹
Prof. Arthur S. Dewing: Salem Electric Co.	Altoona and Mitchellville, Iowa.		Do. ¹
Des Moines Electric Co.: Properties of Hall Electric Co. at Altoona and Mitchellville, Iowa.	Aurora, Mo., and vicinity.	718,339	July.
H. L. Doherty & Co.: Lawrence County Water, Light & Cold Storage Co.	Waskom, Tex.		October. ¹
East Texas Public Service Co.: Waskom Light & Power Co.			
Eastern Seaboard Power Corporation:			
Long Island Lighting Co.	Long Island	15,000,000	November. ¹
East Hampton Electric Light Co.			
Eastern States Utility Co.: Fayetteville Light & Power Co.	Fayetteville, N. C.	150,000	September. ¹
Eastern Texas Electric Co.: Western Public Service Co.	Wyoming, Colorado, Nebraska, Missouri, Iowa, and Texas.	7,527,427	Do. ¹
Electric Power & Light Corporation:			
Arkansas Light & Power Co.	Pine Bluff, Ark., and vicinity.		March.
Dallas Power & Light Co.	Dallas, Tex.		Do.
Dallas Railway Co.	do.		Do.
Louisiana Power Co.	Louisiana		Do.
Louisiana Power & Light Co.	do.		Do.
Mississippi Power & Light Co.	Jackson, Miss., and vicinity.	71,983,220	Do.
New Orleans Public Service (Inc.).	New Orleans, La.		Do.
Power Securities Corporation.	Idaho and Nevada		Do.
Southern Power & Light Co. of Maryland.			September.
Texas Interurban Railway.			March.
Utah Power & Light Co.	Utah		Do.

¹ Estimated.² Date reported in Electrical World.³ Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitaliza- tion	Date of merger
Empire Power Corporation: New York Central Electric Corporation.	Central New York	\$6,332,122	January.
Engineers Public Service Co.: Virginia Railway & Power Co.	Virginia	60,201,573	June.
Spotsylvania Power Co.	Fredericksburg, Va.	1,420,644	Do.
Key West Electric Co.	Key West, Fla.	1,894,061	December.
Exeter Hampton Electric Co.: Plaistow Electric Light and Power Co.	Plaistow, N. H.		Do. ¹
First Wisconsin Trust Co.: Antigo Electric Co.	Antigo, Wis.	306,766	August. ¹
W. B. Foshay Co.: Peoples Light & Power Co.	Fulda, Minn., and vicinity.	758,686	January. ¹
Gasconade Power Co.: Bland Municipal	Bland, Mo.	11,000	August. ¹
Owensville Municipal	Owensville, Mo.	25,000	Do. ¹
General Gas & Electric Co.: Towanda Gas & Electric Co.	Towanda, Pa., and vicinity.	1320,000	Do. ¹
Northern Pennsylvania Power Co.	Northern Pennsylvania.	249,758	Do. ¹
Saylorsburg Light & Power Co.	Monroe County, Pa.	14,000	November. ¹
Georgia Alabama Power Co.: Meigs Municipal.	Meigs, Ga.	50,000	August. ¹
Georgia Hydro Electric Co.: Towaliga Falls Power Co.	Griffin, Ga.	470,000	February.
General Power & Light Co.: Calhoun Public Service Co.	Western Kentucky	124,000	November. ¹
Seabree Power & Light Co.	do.	125,000	Do. ¹
Slaughters Electric Light Co.	do.		Do. ¹
Corydon Light & Power Co.	do.		Do. ¹
Georgia Southern Power Co.: Dublin Municipal.	Dublin, Ga.	1316,000	October. ¹
Gulf States Utilities Co.: Orange Municipal.	Orange, Tex.	100,000	September. ¹
Halifax Power Co.: Emporia Hydro Electric Power Corporation.	Virginia	1185,000	Do. ¹
Chase City Municipal.	do.	164,000	Do. ¹
Victoria Ice, Light & Power Co. plants at Brookneal and Blackstone.	do.		September. ¹
Harlem Valley Electric Corporation:			
Harlem Valley Electric Corporation.	New York	150,000	June.
Morgan & Wyman Electric Light & Power Co.	do.	134,000	Do.
Amenia Electric Light & Power Co.	do.	135,000	Do.
Katonah Lighting Co.	do.	167,000	Do.
Ridgefield Electric Co.	Ridgefield, Conn.	45,000	Do.
Croton Falls Lighting Corporation.	New York	144,000	Do.
Cold Spring Light, Heat & Power Co.	do.	15,200	Do.
Chatham Electric Light, Heat & Power Co.	do.	50,000	Do.
Lebanon Valley Lighting Co. (Inc.).	do.	8,000	Do.
Carmel Light & Power Co. (Inc.).	do.	28,700	Do.
Haverhill Electric Co.: Newburyport Gas & Electric Co.	Newburyport, Mass.	1,849,855	September. ¹
Houston Lighting & Power Co.: La Porte Light & Ice Co.	La Porte, Tex., and vicinity.	27,000	October. ¹
Hughes Electric Co.: Mandan Electric Co.	Mandan, N. Dak.	100,000	December. ¹
Hebron Electric Light & Power Co.	Hebron, N. Dak.	10,000	Do. ¹
Gervin Electric Light & Power Co.	Glen Ullin, N. Dak.		Do. ¹
Halliday Electric Light Plant.	Halliday, N. Dak.		Do. ¹
Illinois Power & Light Co.: Ashland Light, Mill & Power Co.	Ashland, Nebr.	65,000	February.
Spring Valley Utilities Co.	Spring Valley, Ill., and vicinity.	1,000,000	March. ¹
Mackinaw Electric Light Co.	Mackinaw, Ill.	8,000	November.
Vandalia Municipal	Vandalia, Ill.	190,000	Do. ¹
Illinois Public Service Co.: Mount Pulaski Electric Light, Heat & Power Co.	Mount Pulaski, Ill., and vicinity.	8,000	August. ¹
Homestead Electric Light & Power Co.	do.		
Bement Electric Light & Power Co.	do.		
Lincoln Water, Light & Power Co.	South central Illinois	5,000,000	Do. ¹
Freeport Gas & Light Co.	do.		
Mount Pulaski Light & Gas Co.	do.		
Bellflower Light & Power Co.	do.		
Indiana and Michigan Electric Co.: Twin Branch Power Co.	Northern Indiana and southwestern Michigan.		February.
Interstate Public Service Co.: Brownstown Water & Light Co.	Brownstown, Ind.	162,234	July. ¹
Jackson County Transportation Co.	do.		
Indiana Power Co.	Vincennes, Ind., and vicinity.	10,476,366	October. ¹
Vernon Hydro Electric Co.	Vernon, Ind.	6,500	April.

¹ Estimated.² Date reported in Electrical World.³ Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitaliza- tion	Date of merger
Iowa Light, Heat & Power Co.: Holstein Service Co.	Holstein, Iowa, and vicinity.	\$25,000	May. ¹
Iowa Power & Light Co.: Adel Light & Power Co.	Adel, Iowa, and vicin- ity.	50,000	July. ²
Castana Municipal	Iowa		August. ²
Ricketts Municipal	do.		Do. ²
Schleswig Municipal	do.	45,000	Do. ²
Iowa Railway & Light Corpora- tion:			
Madrid Electric Light & Power Co.	Madrid, Iowa	45,500	July. ²
Tri-State Utilities Co.—Iowa division.	Central City, Iowa, and vicinity.		December.
Iowa Southern Utilities Corpora- tion:			
Burlington Ry. & Light Co.	Burlington, Iowa, and vicinity.	4,411,000	January. ¹
Peoples Gas & Electric Co.	Mason City, Iowa	636,000	Do. ²
Iowa Gas & Electric Co.	Washington, Iowa, and vicinity.	954,400	
Lamoni Electric Co.	Lamoni, Iowa, and vicinity.	60,000	June. ²
Jersey Central Power & Light Co.:			
Milburn Electric Co.	New Jersey	21,907,882	July.
Central Jersey Power & Light Co.			February.
Lakewood & Coast Electric Co.			Do.
Monmouth Lighting Co.			Do.
Shore Lighting Co.			Do.
Toms River Electric Co.			Do.
Tri County Electric Co.			Do.
Kentucky Power Co.: Car- rollton municipal.	Carrollton, Ky.	196,000	June. ²
Kentucky-Tennessee Light & Power Co.:			
Mayfield municipal	Mayfield, Ky.	270,000	Do.
Hardinsburg municipal	Hardinsburg, Ky.	10,000	Do.
Hawesville municipal	Hawesville, Ky.	15,000	Do.
Lewisport municipal	Lewisport, Ky.	4,000	Do.
Cloverport municipal	Cloverport, Ky.		Do.
Kentucky Utilities Co.:			
Paducah Electric Co.	Paducah, Ky.	1,780,000	November. ¹
Cannelton Electric Light & Power Co.	Cannelton, Ind.	19,000	December. ²
Lake Erie Light & Power Co.:	Huron County, Ohio	161,000	August. ²
Bellevue Illuminating Co.			
Wm. Levering of Philadelphia:	Brunswick, Ga.	796,701	September. ²
Mutual Light & Water Co.			
Louisiana Public Utilities, (Inc.): Morgan City Electric Co. (Ltd.).	Morgan City, La.	25,000	Do. ²
Lynchburg Traction & Light Co.: Amherst Light & Power Co.	Amherst, Va.	20,000	July. ²
Memphis Light & Power Co.:	Memphis, Tenn.	145,000	June.
South Memphis Light & Traction Co.			
Michigan Electric Power Co.:			
Great Lakes Power Co.	Sanilac, Huron, Tus- cola, Lapeer and Genesee Counties, Mich.	1,844,953	February. ¹
Lapeer Gas Electric Co.			Do. ²
Central Power Co.			Do. ²
Consumers Heating Co.			Do. ²
Caro Light & Power Co.			Do. ²
Middle West Utilities Co.: Chi- cago & Joliet Electric Ry. Co.	Joliet, Quincy, Ill., and vicinity.	6,278,653	January. ²
Midwest Utilities Co.:			
Baker Light & Power Co.	Baker, Mont.	164,000	December. ²
Central Power & Light Co.	Texas, Oklahoma, Ar- kansas, Kansas, Mississippi, and Mexico.	21,457,273	July.
Central Main Power Co.	Central Maine	29,190,511	June.
Southwestern Gas & Electric Co.	Louisiana, Arkansas, Texas, Mississippi.	16,119,648	August. ²
Central Wisconsin Power Co.			Do. ²
Malton Public Service Co.			Do. ²
Wittenberg Light & Power Co.	Wisconsin	2,000,000	Do. ²
Leopolis Electric Light & Power Co.			Do. ²
Manchester Traction, Light & Power Co.	Manchester, N. H., and vicinity.	13,186,686	July.
Midland Utilities Co.: Indiana Service Corporation.	Fort Wayne, Ind., and vicinity.	19,758,726	March.
Mississippi Power & Light Co.:	Raymond, Miss.		August. ²
Raymond, municipal.			
Missouri Light Co.: La Belle, municipal.	La Belle, Mo.	124,000	October. ²
Missouri Power Co.:			
Mountain Grove Creamery Ice & Electric Co.	Mountain Grove, Mo.	130,000	Do. ²
Clinton Municipal.	Clinton, Mo.	164,000	Do. ²
Mohawk & Hudson Power Corpora- tion:			
Cohoes Power & Light Corpora- tion.	Cohoes, N. Y., and vicinity.	8,204,190	July.
Fulton County Gas & Elec- tric Co.	Gloversville, N. Y., and vicinity.	5,578,314	Do.
Utica Gas & Electric Co.	Utica, N. Y., and vicinity.	26,151,125	Do.
Adirondack Power & Light Corporation.	Schenectady, N. Y., and vicinity.	54,168,447	Do.
Mohawk Valley Co.:			
Hilton Electric Light & Power Co.	Hilton, N. Y.		April. ²
Cooper Electric Co.	Parma, N. Y.		Do. ²

¹ Estimated. ² Date reported in Electrical World. ³ Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitaliza- tion	Date of merger
Monongahela West Penn Pub- lic Service Co.:			
Brooke Electric Co.	Wellsburg, W. Va.	\$63,000	February. ¹
West Virginia & Maryland Power Co.	West Virginia and Maryland.		Do. ²
Parsons Electric Co.	Parsons, W. Va.	25,000	Do. ²
West Virginia Public Service Co.	West Virginia		Do. ²
St. Marys Power & Light Co.	St. Marys, W. Va.	50,000	Do. ²
West Maryland Power Co.	Oakland, Md.		Do. ²
Mountain States Power Co.:			
Natrona Power Co.	Casper, Wyo.	1,550,000	April.
Coast Power Co.	Tillamook, Oreg., and vicinity.	257,000	Do.
Narragansett Electric Lighting Co.:			
Westerly Light & Power Co.	Rhode Island	1,146,000	May. ²
Narragansett Pier Electric Light & Power Co.		130,000	Do. ²
Wickford Light & Power Co.		50,000	Do. ²
National Electric Power Co.:			
Cumberland County Power & Light Co.	Portland, Me., and vicinity.	16,846,888	March.
Northwestern Public Service Co.	Nebraska and South Dakota.	7,507,415	Do.
Kansas Electric Power Co.	Lawrence, Kans., and vicinity.	9,515,777	July.
Eastern Kansas Power Co.	Eureka, Kans., and vicinity.	448,865	Do.
Ohio Electric Power Co.	Oberlin, Ohio	1,131,850	Do.
Southwest Power Co.	Oklahoma and Arkan- sas.	6,195,733	Do.
Williamson Electric Co.	Williamson, W. Va., and vicinity.	459,574	Do.
National Power & Light Co.:			
United Investors' Securities Co.	Raleigh, N. C., and vicinity.	36,605,509	December. ²
Carolina Power & Light Co.			November. ²
National Public Service Cor- poration:			
Florida Power Co.	Ocala, Fla., and vicin- ity.	150,000	March. ²
Electric Service Co. of Kansas.	Dodge City, Kans., and vicinity.	399,800	April. ²
Valdosta Lighting Co.	Valdosta, Ga.	969,500	August. ²
Municipal Service Co.	A holding company		June.
Eastern Shore Gas & Electric Co.	Delaware and Mary- land.	3,065,432	September.
Virginia Western Power Co.	Virginia and West Virginia.	8,078,971	July. ²
Virginia Northern Power Co.	Virginia	571,035	November. ²
Nebraska Gas & Electric Co.:	Humboldt, Nebr.	200,000	May. ²
Humboldt, Nebr. plant.			
New Jersey Power & Light Co.:			
Blair Electric Light Co.	New Jersey		July. ²
Eastern Pennsylvania Power Co.	Columbia, N. J., and vicinity.	2,000	December. ²
New Mexico Utilities Co.:	Clovis, N. Mex.	1315,000	October. ²
Clovis municipal.			
New York Central Corporation:			
Empire Gas & Electric Co.	Central New York	11,234,801	January.
Savona municipal.	Savona, N. Y.	20,000	December.
New York State Gas & Electric Corporation:			
Livingston Manor Electric Co.		43,500	June.
Berholme Power Co. (Inc.)			Do.
Roxbury Light & Power Co.			Do.
Earlville Electric Light Co.		23,000	Do.
Windham Valley Electric Co.			Do.
Southern New York Power Co.		1,917,400	December.
Madison Power Co. (Inc.)		173,700	Do.
Sullivan County Light & Power Co.		429,000	Do.
Waterville Gas & Electric Co.	Central New York	28,800	Do.
Delaware County Electric Light & Power Co.		6,500	Do.
New Berlin Light & Power Co.		12,200	Do.
Fleischmanns Light, Heat & Power Co.		6,400	Do.
Moravia Electric Light & Power Co.		27,500	Do.
West Branch Light & Power Co.		85,000	Do.
Steven O'Connor electric plant.			Do.
New York Vermont Interstate Power Co.:			
Halfmoon Light, Heat & Power Co.		273,500	June.
Eastern New York Electric & Gas Co.		760,232	Do.
Dwaas Electric Co.	Eastern New York	11,600	Do.
Salem Light, Heat & Power Co.		50,000	Do.
New England Public Service Co.:			
Central Maine Power Co.	Maine	10,552,700	October. ²
Manchester Traction Light & Power Co.	New Hampshire	9,898,300	Do. ²
National Light, Heat & Power Co.	New England States	5,548,079	Do. ²
New Orleans Public Service (Inc.):			
Consumers Electric Light & Power Co.	New Orleans	3,385,000	December. ²
Citizens Light & Power Co.		706,300	

¹ Estimated. ² Date reported in Electrical World. ³ Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitalization	Date of merger
Niagara, Lockport & Ontario Power Co.			
Camden Municipal	Camden, N. Y.	\$30,500	January. ²
Olean Electric Light & Power Co.	Olean, N. Y., and vicinity.	1,837,000	April. ²
North American Co.			
Western Power Corporation	California	96,402,196	September. ²
Mississippi River Power Co.	Iowa, Illinois, Missouri	32,664,400	October. ²
Livingston-Niagara Power Co.	Avon, N. Y., and vicinity.	396,000	April. ²
Western New York Electric Co.	Jamestown, N. Y., and vicinity.		Do. ²
Bryant Power Co.	Wilson, N. Y.		Do. ²
Northeastern Iowa Power Co.	Colwell, Iowa		June. ²
Colwell municipal			
Northern Maryland Power Co.			
Elkton Electric Co.	Elkton, Md.	164,000	May. ²
Havre de Grace Electric Co.	Havre de Grace, Md.	172,000	Do. ²
Northern Power & Light Co.			
Mohrbridge Electric Co.	Mohrbridge, S. Dak., and vicinity.	186,500	July. ²
Boyle Electric Co.	Gettysburg, S. Dak.		Do. ²
Dakota Utilities Co.	Eureka, S. Dak.	93,000	Do. ²
New Era Power Co.			Do. ²
Sheets Electric Co.	Lemmon, S. Dak.	125,600	Do. ²
Northwest Utilities Co.	Beloit, Wis., and vicinity.	4,237,814	Do. ²
Water, Gas & Electric Co.			
Northwestern Light & Power Co.	Pierson, Iowa	1,500	October. ²
Pierson municipal			
Ohio Electric Power Co.	Vicinity of Norwalk and Elyria, Ohio.	161,000	February. ²
Electric light and power business of Cleveland, Southwestern Railway & Light Co.			
Oklahoma Gas & Electric Co.			
Consumers Light & Power Co.	Ardmore and Durant, Okla.	11,110,000	August. ²
Tishomingo, Okla., Municipal	Tishomingo, Okla.	50,000	October. ²
Oklahoma Power Co.	Okemah, Okla.	98,000	April. ²
Okemah municipal			
Olean Electric Light & Power Co.	Cuba, N. Y.	83,300	Do. ²
Cuba Electric Co.			
Otter Tail Power Co.	Valley City, N. Dak., and vicinity.	96,000	Do. ²
Sheyenne Valley Light & Power Co.			
Ozark Utilities Co.			
South Missouri Power Co.	Greenfield, Mo., and vicinity.	250,000	November. ²
Southwest Electric Light & Mill Co.	Sarcoxie, Mo., and vicinity.	40,000	Do. ²
Jasper Electric Co.	Jasper, Mo.		Do. ²
Pacific Power & Light Co.	Washington and Idaho	1,125,000	January. ²
Washington-Idaho Water, Light & Power Co.			
Penn Central Light & Power Co.	Albion and Conneautville, Pa.	237,272	November. ²
United Lighting Co.			
Penna Power & Light Co.	Eastern Pennsylvania	17,121,699	January.
East Penn Electric Co.			
Power & Electric Securities Corporation			
Malone Light & Power Co.		1,591,483	November. ²
Fort Covington Light, Heat & Power Co.		121,500	Do. ²
Milling & Lighting Co. of Brashear Falls	Northern New York	6,000	Do. ²
Portland, Electric Power Co.	St. Helens, Ore.	164,000	October. ²
St. Helens Light & Power Co.			
Public Service Co. of Colo.	Breckenridge, Colo., and vicinity.	180,000	November. ²
Jonopah Placers Co.			
Public Service Co. of Mo.	Missouri	2,750,000	February. ²
Property of Missouri Public Utilities Co. in 18 communities			
Public Service Co. of Oklahoma	Afton, Okla.	54,000	October. ²
Afton municipal			
Puget Sound Power & Light Co.			
Property of Northwestern Power & Manufacturing Co. in Port Angeles, Sequim, Silverdale, and Poughsbo	In Olympic Peninsula, Wash.		November. ²
North Pacific Public Service Co.	Bremerton, Wash.	681,000	Do. ²
Sequim Light & Power Co.	Sequim, Wash.	80,000	December. ²
Republic Railway & Light Co.			
Northeastern Ohio Power & Light Co.	Shore of Lake Erie east and west from Ashtabula, Ohio.	63,300	*December. ²
Grand River Electric Light & Power Co.			
Suburban Utilities Co.			
Southeastern Power & Light Co.			
Meridian Light & Railway Co.	Meridian, Mass.	3,723,500	April. ²
Hattiesburg Traction Co.	Hattiesburg, Miss.	1,054,000	Do. ²
Mobile Electric Co.	Mobile, Ala.	5,225,280	January. ²
Pensacola Electric Co.	Gulf coast of Florida	3,291,358	February. ²
Southern Cities Power Co.	Fayetteville, Tenn.	435,000	August. ²
Fayetteville Electric Light & Power Co.			
Southern Cities Utilities Co.	Hohenwald and Petersburg, Tenn.		October. ²
Sequatchie Light & Power Co.			
Southern Pennsylvania Power Co.	Northern Maryland		June. ²
Northern Maryland Power Co.			
Southside Virginia Power Co.	Virginia	3,812,953	October. ²
Halifax Power Co.			
Piedmont Power Co.			November. ²

¹ Estimated. ² Date reported in Electrical World. * Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitalization	Date of merger
Southwestern Light & Power Co.			
Consumers Light & Power Co. of Oklahoma	Waurika, Okla.	128,000	July. ²
Hollis Light & Ice Co.	Hollis, Okla.	197,000	August. ²
Southwestern Public Service Co.	Amarillo, Tex.	2,784,946	July.
City Light & Water Co.			
Standard Power & Light Corporation			
Pittsburgh Utilities Co.	Pennsylvania	26,617,901	Do.
United Rys. Investment Co.			
Philadelphia Co.	do.	255,685,956	Do.
Suburban Power Co.	Ohio	136,000	October. ²
Properties of General Light & Power Co. in Bristolville, North Bristol, Bloomsfield, Louisville, Harrisburg, and Middlebranch.			
Southern Power Co.	North and South Carolina	25,424,449	December. ²
Public Utilities Co.			
Southern Ohio Electric Co.			
Hocking Power Co.	Nelsonville, Ohio	394,176	Do. ²
Mutual Electric Co.	Middleport, Ohio	95,700	Do. ²
Southern Ohio Power Co.	Floodwood, Ohio	3,915,239	Do. ²
Chas. H. Tenney & Co.	Newburyport, Mass., and vicinity.	1,849,855	April. ²
Newburyport Gas & Electric Co.			
Tennessee Electric Power Co.			
Smith County Electric Co.	Carthage, Tenn., and vicinity.	62,500	May. ²
Murfreesboro Light & Power Co.	Murfreesboro, Tenn.	700,000	December. ²
Texas Central Power Co.	Luling, Tex.	200,000	September. ²
Luling Electric Light & Power Co.			
Texas Power & Light Co.	Lockport, Tex., and vicinity.	15,000	April. ²
Citizens Water & Light Co.	Lancaster, N. H.	60,000	August. ²
Twin State Gas & Electric Co.			
Jones & Linscott Electric Co.	Missouri, Iowa, Illinois	49,695,460	October. ²
Union Electric Light & Power Co.			
Mississippi River Power Co.			
Union Gas & Electric Co.	Oxford, Ohio	45,000	August. ²
Oxford municipal			
United Gas Improvement Co.	Northwest Iowa	4,623,101	June. ²
Iowa Light, Heat & Power Co.			
United Light & Power Co.	Ohio		August. ²
Plants of Ohio Utilities Co. at Circleville, Delaware, Hicksville and Gallipolis.			
Chillicothe Electric Railroad, Light & Power Co.		175,000	Do. ²
Columbus Railway Power & Light Co.		41,735,416	Do. ²
Blue River Power Co.	Nebraska	1,000,000	October. ²
Continental Gas & Electric Corporation	Missouri, Iowa, Nebraska, Ohio, and Manitoba	133,610,294	January. ²
Utah Power & Light Co.			
Clark Electric Power Co.	Tooele, Utah, and vicinity.	100,000	February. ²
Vernal Light Co.	Vernal, Utah	125,000	November. ²
Green River Electric Light & Power Co.	Green River, Wyo.	30,000	December. ²
Utilities Power & Light Corporation			
Colonial Gas & Electric Co.	Newport, R. I., and vicinity.	2,969,741	April. ²
Clinton Gas & Electric Co.	Clinton, Iowa, and vicinity.	1,540,000	May. ²
Ocean Grove Camp Meeting Association	Ocean Grove, N. J.	123,000	October. ²
Valdosta Lighting Co.	Madison, Fla.	30,000	August. ²
Madison municipal			
Virginia Railway & Power Co.	Williamsburg, Va.	150,000	October. ²
Williamsburg Power Co.			
Ware County Light & Power Co.	Blackshear, Ga.	164,000	August. ²
Blackshear municipal			
Western Power Corporation	Fresno, Calif., and vicinity.	57,042,700	February.
San Joaquin Light & Power Corporation			
Western Reserve Power Co.	Ohio	45,000	October. ²
Properties of Cleveland & Southwestern Railway & Light Co. in Nova, West Salem, Sullivan, and Spencer, Ohio			
East Ohio Power & Light Co.	Medina, Ohio	200,000	Do. ²
Western United Corporation			
Western United Gas & Electric Co.	Illinois	18,661,611	January. ²
Southern Illinois Gas Co.	do.	3,065,098	Do. ²
West Texas Utilities Co.	Baillinger, Tex.	85,000	May. ²
Baillinger municipal			
Western United Gas & Electric Co.	Southern Illinois		November.
Fox River Electric Co.	do.		November. ²
Aurora, Elgin & Fox River Elec. Co.			
Western Utilities Co.	Malad, Idaho	143,000.00	October. ²
Evans Light Co.			
Wisconsin Power & Light Co.			
Marquette Electric Co.		30,000.00	
Village of Dane		6,000.00	
Interurban Electric Co.		14,500.00	
Princeton Power & Light Co.		48,470.60	
Mauston Electric Service Co.		179,398.12	
Montello-Harrisville Electric Light & Power Co.		44,635.50	
Fall River Electric Co.		29,000.00	

¹ Estimated. ² Date reported in Electrical World. * Price.

Mergers of central station systems during 1925—Continued

Companies involved	Territory served	Capitaliza- tion	Date of merger
Wisconsin Power & Light Co.— Continued.			
Orange Light & Power Co.		\$31,500.00	
Rose Milling Co. of Wild Rose		24,000.00	
Portage American Gas Co.		138,659.06	
Westford Light, Heat & Power Co.		15,982.31	
Cazenovia village		8,000.00	
Orfordville Light & Power Co.		22,000.00	
Lime Ridge village		4,104.38	
Rio Electric Co.		28,000.00	
Pine River village		16,000.00	
Poy Sippi village		24,000.00	
Coloma village		200.00	
Twin Bluffs Electric Co.		35,000.00	
Fairwater Electric Co.		42,000.00	
Electric power plant of Sarda- son Bros. at Blanchardville.		20,000.00	
Ironton village		1,200.00	
Brooklyn Electric Co.		10,000.00	
Aurora village		10,000.00	
Merrimac Electric Co.		7,850.00	
Verona village		40,000.00	
Wisconsin Public Service Cor- poration: Peshtigo Pulp & Paper Co.	Potterfield Dam, Wis.	334,000.00	July. ¹
Wisconsin Valley Electric Co.: Waupaca Electric Service & Railway Co.	Waupaca, Wis.	238,060.00	September. ¹

¹ Estimated. ² Date reported in Electrical World. ³ Price.

Utility mergers and purchases in 1926

Companies involved	Territory served	Date of merger
Adirondack Power & Light Corporation (Schenectady, N. Y.) (subsidiary of Mokaw Hudson Power Corpora- tion):		
Adirondack & Southern (Inc.)	Schenectady, N. Y.	January.
Central New York Power Corpora- tion.	Canastota, N. Y.	May. ¹
Hadley Light & Power Co.	Hadley, N. Y.	January. ¹
Kanes Falls Electric Co.	Glens Falls, N. Y.	Do.
Granville Gas & Electric Co.	Granville, N. Y.	July.
North Creek Electric Co.	Johnsburg, N. Y.	November. ¹
Port Henry Light, Heat & Power Co.	Port Henry, N. Y.	December. ¹
Riddell Electric Light Co.	Riddell, N. Y.	January. ¹
Schroon Lake Lighting Corporation.	Schroon Lake, N. Y.	Do. ¹
South Glens Falls Street Lighting System.	South Glens Falls, N. Y.	Do. ¹
Allied Utilities Corporation (Mills Building, Washington, D. C.):		
Mountain States Utilities Co.	West Virginia	September. ¹
Midland Electric Service Co.	West Union, W. Va.	November. ¹
Salem Electric Co.	Salem, W. Va.	Do.
American Gas & Electric Co.: (See also Appalachian Electric Power Co.; Electric Co. of New Jersey.)		
Atlantic City Electric Co. (N. J.); municipal electric system.	Longport, N. J.	Do.
Ohio Power Co. (Canton)		
Huron Valley Light & Power Co.	Plymouth, Ohio	August.
Municipal plant.	Salineville, Ohio	January.
American Utilities Co. (Harrisburg, Pa.); (Gannett, Seelye & Fleming, Inc.):		
Arkansas General Utilities Co.	Warren, Ark.	May.
Republic Power & Service Co.	El Dorado, Snackover, and Warren, Ark.	August.
Louisiana Public Utilities Co.	Morgan City, La.	May.
Franklin Light & Power Co.	Franklin, La.	Do.
Leesville Light & Water Works Co.	Leesville, La.	Do.
Morgan City Ice & Electric Co.	Morgan City, La.	Do.
Republic Power & Service Co.	De Ridder and Oakdale, La.	Do.
St. Tammany Ice & Manufacturing Co.	Covington, Mandeville, and Abita Springs, La.	Do.
Selig-Davis Light & Power Co.	Farmersville, La.	Do.
Slidell Ice & Light Co.	Slidell, La.	Do.
Mansfield Light & Power Co.	Mansfield, La.	Do.
Missouri General Utilities Co.	Perryville, Mo.	Do. ¹
Bloomfield Electric Light & Power Co.	Bloomfield, Mo.	Do. ¹
Missouri Electric Power Co.	Ste. Genevieve, Mo.	Do. ¹
Perry County Ice, Light & Power Co.	Perryville, Mo.	Do. ¹
Twin City Light & Power Co.	Lutesville, Mo.	Do.
Oklahoma Northern Utilities Co.	Ponca City, Okla.	Do.
Blackwell Electric High Line Co.	Blackwell, Okla.	Do.
American Water Works & Electric Co., Inc.:		
West Penn Electric Co.		March. ¹
Keystone Power Corporation.	Ridgeway, Pa.	Do. ¹
Potomac Edison Co.	Hagerstown, Md.	Do. ¹
West Penn Co.	Pittsburgh, Pa.	Do. ¹
Monongalia West Pennsylvania Public Service Co. (Fairmont, W. Va.):		
Electric Service System	Bethany, W. Va.	August.
Weston Electric Light, Power & Water Co.	Weston, W. Va.	October. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Appalachian Electric Power Co. (under supervision of American Gas & Elec- tric Co.)	Western Virginia, southern West Virginia and eastern Kentucky.	May. ¹
Appalachian Power Co.	Bluefield, W. Va.	Do. ¹
Gilbert Water & Power Co.	Gilbert, W. Va.	September.
Appalachian Power & Light Co.	Charleston, W. Va.	May. ¹
Boyd County Electric Co.	Ashland, Ky.	Do. ¹
Central Virginia Power Co.		Do. ¹
Consolidated Power & Light Co.	Huntington, W. Va.	Do. ¹
Chesapeake Electric Co.	Chesapeake, Ohio.	April. ¹
Dunbar Light & Power Co.	Dunbar, W. Va.	May. ¹
Gate City Light & Power Co.	Gate City, Va.	Do. ¹
Interstate Power Co.	Hartland, W. Va.	Do. ¹
Kanawha Valley Power Co.	South Charleston, W. Va.	Do. ¹
Kentucky & West Virginia Power Co.	Huntington, W. Va.	Do. ¹
Lynchburg Traction & Light Co.	Lynchburg, Va.	Do. ¹
New River Development Co.	Pearisburg, Va.	Do. ¹
Roanoke Railway & Electric Co.	Roanoke, Va.	Do. ¹
St. Albans Electric Light & Power Co.	St. Albans, W. Va.	Do. ¹
West Virginia Water & Electric Co.	Charleston, W. Va.	Do. ¹
Arkansas Power & Light Co. (subsidiary of Electric Power & Light Corpora- tion, supervised by Electric Bond & Share Co.):		
Arkansas Central Power Co.	Little Rock, Ark.	October. ¹
Municipal electric and water plant.	Senary, Ark.	November.
Arkansas Light & Power Co.	Pine Bluff, Ark.	October. ¹
Arkansas public utilities.	Heber Springs.	November. ¹
Armstrong Lighting, Ice & Water Co.	De Vall's Bluff, Ark.	March.
Marvell Light & Ice Co.	Marvell, Ark.	June.
Municipal water and light plant.	Hamburg, Ark.	November.
East Arkansas Power & Light Co.		October. ¹
Pine Bluff Co.	Pine Bluff, Ark.	Do. ¹
Associated Gas & Electric Co.: (See also Harlem Valley Electric Corporation.)		
Associated Electric Co.		April. ¹
Associated Pennsylvania Corpora- tion.		March.
Penn Public Service Corporation.	Western Pennsylvania and eastern Maryland.	April.
Sheffield Electric Light & Power Co.	Sheffield, Pa.	September.
Dewep and Lancaster group.	Western New York.	April.
Fred W. Young electric plant and system.	do.	January. ¹
Eastern New York group.	Northeastern New York, and along Vermont, Mas- sachusetts, and Connecti- cut border.	April.
Eastern New York Electric & Gas Co. Granville, N. Y.—		
Dwaas Electric Co.	Hudson Falls, N. Y.	May. ¹
Halfmoon Light, Heat & Power Co.	Mechanicville, N. Y.	Do. ¹
Salem Light, Heat & Power Co.	Salem, N. Y.	Do. ¹
Kentucky-Tennessee group	60 communities	April.
Kentucky-Tennessee Light & Pow- er Co. (Bowling Green, Ky.):		
Municipal plants.	(Murray, Ky. Gleason, Tenn. McKenzie, Tenn.)	July. ¹ November. June. ¹
Ohio River Power Co. (Cann- elton, Ind.):		
Cannelton (municipal) Public Service Co.	Cannelton, Ind.	March. ¹
Cloverport Ice & Light Co.	Cloverport, Ky.	January. ¹
Hardinsburg Electric Light Co.	Hardinsburg, Ky.	Do. ¹
Hawesville Water & Light Co.	Hawesville, Ky.	Do. ¹
Lewisport Electric Light & Water Co.	Lewisport, Ky.	Do. ¹
Municipal electric light & water plant.	Tell City, Ind.	March. ¹
Three Forks Utilities.	Beattyville, Ky.	January.
Long Island group— Long Island Water Co.	Queens and Nassau Coun- ties, N. Y.	April.
Patchogue Electric Light Co.	Southern Long Island, N. Y.	Do.
Manila Electric Co.	Manila P. I., and environs.	Do.
Portsmouth power group.	Portsmouth, N. H., etc., and Kittery and Eliot, Me.	Do.
Clinton Light & Water Co.	Clinton, Ky.	July. ¹
Meyersdale Electric Light, Heat & Power Co.—		
Citizens' Light, Heat & Power Co.	Meyersdale, Garrett, Salis- bury, and Elk Lick, Pa., and Grantsville, Md.	October. ¹
Garrett Electric Light, Heat & Power Co.		
Summit Township Electric Light, Heat & Power Co.		
New York State Gas & Electric Cor- poration (Ithaca, N. Y.):		
Berholme Power Co. (Inc.)	Holmesville, N. Y.	December.
Brookfield Electric Light & Power Co. (generating plant and equip- ment excepted).	Brookfield, N. Y.	May. ¹
Coan, Charles.	Korbright, N. Y.	July. ¹
Deansboro Electric Light Plant.	Deansboro, N. Y.	May. ¹
Delaney Electric Light Co. (Inc.) (electric distribution system only).	Hamden, N. Y.	July. ¹
Earville Electric Light Co.	Earville, N. Y.	December.
Hamden Electric Light Co.	Hamden, N. Y.	July. ¹
Hotchkin, Malcolm G. (electric dis- tribution system only).	Andes, N. Y.	Do. ¹
Livingston Manor Electric Corpora- tion.	Livingston Manor, N. Y.	December.
Roxbury Light & Power Co. (Inc.)	Roxbury, N. Y.	Do.

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Associated Gas & Electric Co.—Contd. New York State Gas & Electric Corporation—Continued.		
Seely Electric Co.	Spencer, N. Y.	December.
Smyrna Electric Light Co.	Sherburne, N. Y.	Do.
West Burlington electric plant.	West Burlington, N. Y.	May. ¹
Windham Valley Electric Co.	Windham, N. Y.	December.
Plattsburgh Gas & Electric Co. (N. Y.)		
Champlain Electric Co.	Champlain, N. Y.	August. ¹
Chasm Power Co.	Chateaugay, N. Y.	Do. ¹
White, Norman I. (plant)	Ellenburg, N. Y.	Do. ¹
United Light, Heat & Power Co.	Stoyestown, Pa.	October. ¹
Wayside Electric Co.	Queenhoning, Shade, Stoneycreek, and Shanksville, Pa.	Do. ¹
White Oak Light, Heat & Power Co.	Hollsopple, Pa.	July. ¹
Athens municipal plant (Ala.): Lakeland municipal plant.	Lakeland, Fla.	Do. ¹
Atlantic Public Utilities (Inc.):		
Caribou Water, Light & Power Co. (Maine): New Sweden Light & Power Co.	Maine	Do.
Edisto Public Service Co.	14 communities in South Carolina.	March.
Electric properties in:		
Municipal electric light plant.	Fairfax and Varnville, S. C.	August.
Ohio Northern Public Service Co.	Branchville, S. C.	October. ¹
Provincetown Light & Power Co.	Bowling Green, Ohio.	March.
Avon River Power Co. (Windsor, Nova Scotia), eastern and middle portion of Annapolis Valley in Nova Scotia:	Massachusetts	Do.
Gaspereaux River Light, Heat & Power Co.	Wolfville, Nova Scotia.	July. ¹
Windsor Electric Light & Power Co.	Windsor, Nova Scotia.	May. ¹
Balch (A. C.), Kerchoff (W. G.), and Meyer (Ben. R.): Hanford Gas & Power Co.	Hanford, Calif.	January.
Bangor Hydro-Electric Co. (Bangor, Me.): Cherryfield Electric Light Co.	Cherryfield, Me.	July.
International Paper Co.		
	Water-power rights, dam, etc., pertaining to hydro-electric development at West Enfield, Me.	August.
Sorrento electric light plant.	Sorrento, Me.	Do.
Benton County Utilities Corporation (Charles Page, Sand Springs, Okla.):		
Electric property.	Decatur, Ark.	January. ¹
Municipal plants.	Gravette, Sulphur Springs and Siloam Springs, Ark.	Do. ¹
Willmer & Co., F. E.	Gentry, Ark.	Do. ¹
British Columbia Electric Railway Co.: British Columbia Electric Power & Gas Co.		
Bridge River Power Co.		
British Columbia Gas Co.		
British Columbia Rapid Transit Co.		
Burrard Power Co.		
Vancouver Gas Co.		
Vancouver Island Power Co.		
Vancouver Power Co.		
Victoria Gas Co.		
Western Power Co.		
Buffalo, Niagara & Eastern Power Corporation:		
Bradford Electric Co. (Bradford, Pa.):	Port Allegany, Pa.	October. ¹
Municipal electric plant.		
Niagara, Lockport & Ontario Power Co. (Buffalo, N. Y.): Ottman, William J.	Portions of towns of Verona and Vienna, N. Y.	May. ¹
Tonawanda Power Co. (North Tonawanda, N. Y.): Grand Island Light & Power Corporation.	Grand Island, N. Y.	January. ¹
Canada Northern Power Corporation:		
Porcupine Telephone & Power Co., Northern Ontario Light & Power Co.	Timmins, Ontario, only.	April. ¹
Canada Power Corporation (subsidiary of Mohawk Valley Co.): Genesee Valley Power Co.	Fillmore, N. Y.	March. ¹
Canada International Paper Co. (International Paper Co., New York):		
Hull Electric Co. (Canadian Pacific R. R.).	Hull, Quebec	May. ¹
Hull Electric Ry. Co. (Canadian Pacific R. R.).	do.	Do. ¹
Carolina Power & Light Co. (subsidiary of National Power & Light Co., under supervision of Electric Bond & Share Co.):		
Asheville Power & Light Co.	Asheville, N. C.	April. ¹
Carolina Power Co.	Raleigh, N. C.	Do.
Carolina Power & Light Co.	do.	Do. ¹
Laurinburg Light & Power Co.	Laurinburg, N. C.	September.
Madison Light & Power Co.	Marshall, N. C.	May.
Municipal lighting plant.	Littleton, N. C.	August. ¹
Pigeon River Power Co.	Raleigh, N. C.	April. ¹
North Carolina Electrical Power Co.	Western North Carolina.	March. ¹
Canton Electric Co.	do.	Do. ¹
Warrenton Electric Light Co. (municipal).	Warrenton, N. C.	August. ¹
Yadkin River Power Co.	Sumter, S. C.	November. ¹
Carolina Electric Co.	Raleigh, N. C.	April. ¹
Central Hudson Gas & Electric Co. (Poughkeepsie, N. Y.):	Maxton, N. C.	May.
Citizens' Railroad, Light & Power Co.	Beacon, N. Y.	January. ¹
Fishkill Electric Ry. Co.	do.	Do. ¹
Southern Dutchess Gas & Electric Co.	do.	Do. ¹
Stissing Light & Power Co. (Inc.):	Pine Plains, N. Y.	August.
Wappingers Electric Corporation.	Wappingers Falls, N. Y.	January. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Central Illinois Public Service Co. (Springfield, Ill.) (subsidiary of Middle West Utilities):		
Alvin Grain & Electric Co.	Alvin, Bismarck, Armstrong, Potomac, Henning, and Illinois, Ill.	January.
Anchor Electric Light Co.	Anchor, Ill.	November. ¹
Cambria Light, Heat & Power Co.	Cambria, Ill.	April. ¹
Electric properties.	Coatsburg, Farina, and Littleton, Ill.	July. ¹
Liberty Electric Co.	Paloma, Ill.	October. ¹
Loraine Electric Light & Power Co.	Liberty, Ill.	Do. ¹
Mendon Electric Light & Power Co.	Loraine, Ill.	August.
Middletown Light & Power Co.	Mendon, Ill.	October. ¹
	Middletown, Ill.	July. ¹
	Belleflower, Fisher, and Sibley, Ill.	January. ¹
Municipal electric systems.	Divernon, Ill.	March. ¹
	Brookport, Ill.	April. ¹
	Creal Springs and Kinmundy, Ill.	July. ¹
New Holland Light & Power Co.	New Holland, Ill.	May. ¹
Rossville Electric Light Co.	Rossville, Ill.	June.
Sadorn Light & Power Co.	Sadorn, Ill.	August.
Central Iowa Power & Light Co. (Waterloo, Iowa): (subsidiary of American Gas Co.) municipal light & power plant.	Pioneer, Iowa.	Do. ¹
Central Power & Light Co. (subsidiary of Middle West Utilities Co., through Central & South West Utilities Co.):		
Municipal electric light & power plant.	Wellington, Tex.	September. ¹
Texas Central Power Co.	San Antonio, Tex.	August. ¹
Cotulla Light & Ice Co.	Cotulla, Tex.	March. ¹
Goliad Supply Co.	Goliad, Tex.	Do. ¹
Hebronville Electric Light & Power Plant.	Hebronville, Tex.	Do. ¹
Pagel Electric & Ice Co.	Schulenburg, Tex.	Do. ¹
Sabinal Utilities Co.	Sabinal, Tex.	Do. ¹
Three Rivers Electric Light & Power Plant.	Three Rivers, Tex.	Do. ¹
Central Public Service Co. (A. E. Pierce, Chicago, Ill.):		
Central Gas & Electric Co.—		
Central States Gas Co.		April.
Consolidated Water Co. of Suburban New York.		Do.
Hoosier Public Utility Co. (Greensburg, Ind.):		
Central States Gas Co.	Vincennes, Ind.	Do.
Greensburg Gas & Electric Co.	Greensburg, Ind.	January. ¹
Princeton Utilities Co.	Princeton, Ind.	April.
Houghton County Electric Light Co.	Houghton, Mich.	Do.
Houghton County Traction Co.	do.	Do.
Illinois Public Utility Co.—		
Albion Electric Light & Gas Co.	Albion, Ill.	February. ¹
Atlanta Electric Light & Power Co.	Atlanta, Ill.	January. ¹
Atwood Electric Light & Power Co.	Atwood, Ill.	February. ¹
Belleflower Light & Power Co.	Belleflower, Ill.	Do. ¹
Bement Electric Light & Power Co.	Bement, Ill.	Do. ¹
Freeport Gas Co.	Freeport, Ill.	Do. ¹
Homer Electric Light & Power Co.	Homer, Ill.	Do. ¹
Lincoln Water & Light Co.	Lincoln, Ill.	Do. ¹
Hullinger Light & Power Co.	San Jose, Ill.	March. ¹
Philo Light, Heat & Power Co.	Philo, Ill.	Do. ¹
Mount Pulaski Electric Light, Heat & Power Co.	Mount Pulaski, Ill.	February.
Royal Light & Power Co.	Delavan, Ill.	April.
Lower Peninsula Power Co. (Frankfort, Mich.):		
Benzie County Power Co.	Frankfort, Mich.	Do.
Easley Light & Power Co.	Plainwell, Mich.	Do.
M. & W. Light & Power Co.	Wayland, Mich.	Do.
Maine Public Utility Co.—		
Carleton Electric Co.	Woodstock, New Brunswick, Canada.	February.
Easton Electric Co.	Easton, Me.	Do.
Fort Kent Electric Co.	Fort Kent, Me.	Do.
Gould Electric Co.	Presque Isle, Me.	Do.
Katahdin Electric Co.	Patten, Me.	August.
Maine & New Brunswick Electric Power Co. (Ltd.).	Presque Isle, Me.	February.
Woodstock Electric Railway Light & Power Co.	Woodstock, New Brunswick, Canada.	Do.
Wisconsin Public Utility Co.—		
West Bend Heating & Lighting Co.	West Bend, Wis.	Do.
Central Public Utility Co.—Michigan		
Water Power Co.	Two hydroelectric developments on Thorneapple River at Ada and Cascade.	April.
Southern Gas & Power Co.	Lexington, Ky.	December. ¹
Central States Electric Co. (Cedar Rapids, Iowa):		
Alpha electric plant.	Alpha, Minn.	September. ¹
Municipal electric distribution system.	Kanawha, Iowa.	October. ¹
	Laurens, Iowa.	December. ¹
	Homer, Nebr.	November. ¹
	Walshill, Nebr.	June. ¹
Municipal electric light plant.		
Central States Power & Light Corporation (Davenport, Iowa.):		
Arkansas Public Service Co.	Blytheville, Ark.	January. ¹
Berryville Mining Co.	Berryville, Ark.	September.
Green Forest Milling & Elevator Co.	Green Forest, Ark.	Do.

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Central States Power & Light Corporation—Continued.		
Central Light & Power Co.	11 communities in North Dakota.	September. ¹
Fessenden Light & Power system.	Fessenden, N. Dak.	March.
Hawkeye State Power Co.	Davenport, Iowa.	January.
Lone Star State Power Co.	Floresville, Tex.	Do.
Missouri Electric Power Co.	Marshfield, Mo.	Do. ¹
Missouri Power Development Co.	Willow Springs, Mo.	Do. ¹
Puxico Light & Water Co.	Puxico, Mo.	February. ¹
Nebraska Electric Power Co.	22 communities in Nebraska.	September. ¹
Municipal light & water plant.	Gordon, Nebr.	November.
Sheridan Electric Service Co.	Rushville, Nebr.	January.
Northeastern Iowa Power Co.	75 communities in Iowa.	September. ¹
Municipal plant & distribution system.	Bassett, Iowa.	December. ¹
Southeast Missouri Public Service Co.	Missouri.	January. ¹
Central Wisconsin Power Co. (Madison), (subsidiary of Middle West Utilities Co., through North West Utilities Co.).		
Caroline Electric Co.	Caroline, Wis.	July. ¹
Marion Light & Power Co.	Marion, Wis.	January. ¹
Wall-Spalding Co. (water-power properties).	Big Falls, Wis.	Do. ¹
Chickasha Gas & Electric Co. (Okla.), (subsidiary of Middle West Utilities Co. through Central & South West Utilities Co.): Sloan Electric Plant, J. B.	Tuttle, Okla.	April.
Cities Service Co. (Henry L. Doherty interests):		
Bluff City Electric Light & Power Co.	Bluff City, Tenn.	November. ¹
DeKalb Power & Light Co.	DeKalb, Mo.	December. ¹
Electric Utilities Co. (Missouri):		
Electric Service Co.	Noel, Anderson, Pineville, etc., Mo.	July. ¹
Noel Mill & Power Co.	Lanagan and Goodman, Mo.	June. ¹
Indiana River Power Co.	Seneca, Mo.	July. ¹
Empire District Electric Co. (Joplin, Mo.): municipal light & power plant.		
Ohio Public Service Co. (Cleveland, Ohio): Electric Light & Power System.	Sheffield Lake Village, Ohio.	October.
Public Service Co. of Colorado (Denver, Colo.):		
Brighton Ice, Light & Power Co.	Brighton, Colo.	February. ¹
Grand Junction Gas & Electric Co.	Grand Junction, Colo.	March. ¹
Grand Junction ice plant.	do.	Do. ¹
Grand River Valley Railway.	do.	Do. ¹
Municipal lighting plant.	Brush, Colo.	April. ¹
Municipal electric plant.	Sedgwick, Colo.	December. ¹
Palisades Light Co.	Palisades, Colo.	March. ¹
Rifle Light, Heat & Power Co.	Rifle, Colo.	May. ¹
Suburban Light & Power Co.	Aurora, Colo.	January. ¹
St. Joseph Railway, Light, Heat & Power Co. (St. Joseph, Mo.):		
Rushville Electric Light & Power Co.	Suburbs of St. Joseph, Mo.	April. ¹
Municipal plant.	Easton, Mo.	December. ¹
Taney Light & Water Co.	Branson, Mo.	May. ¹
Toledo Edison Co. (Toledo, Ohio):		
Beverly Service Co.	Toledo, Ohio.	September.
Lake Shore Power Co.	do.	Do. ¹
Citizens' Heat, Light & Power Co. (Winchester, Ind.): Jantha Light & Fuel Co.	Greenville, Ohio.	January. ¹
Clay, C. M. (Simpson, Thacher & Bartlett, New York): Helena Light & Railway Co.	Helena, Mont.	December. ¹
Cleveland Electric Illuminating Co. (Ohio) (subsidiary of North American Co.):		
Cleveland, Painesville & Eastern Railroad Co. (electric light and power properties).	Ohio.	January. ¹
United Light & Power Co.	Geneva, Ohio.	Do. ¹
Grand River Electric Light & Power Co.	Rock Creek, Eagleville, Austinburg, and territory along main east and west highways between Ashtabula and Geneva.	April. ¹
Municipal light plant.	Chadron, Ohio.	January. ¹
Municipal power & light plant.	Conneaut, Ohio.	Do. ¹
Northeastern Ohio Power & Light Co.	Kingsville and North Kingsville and section of main highway between Ashtabula and Conneaut.	April. ¹
Suburban Utilities Co.	Geneva-on-the-Lake and other lake shore communities between Geneva-on-the-Lake and Ashtabula.	Do. ¹
Colorado Utilities Corporation (Troy, Graham & Co., Chicago):		
Craig Light & Power Co.	Craig, Colo.	March. ¹
Hayden Milling & Power Co.	Hayden, Colo.	Do. ¹
Oak Creek Service Co.	Oak Creek, Colo.	Do. ¹
Steamboat Service Co.	Steamboat Springs, Colo.	Do. ¹
Columbia Gas & Electric Corporation (W. Va.):		
Columbia Gas & Electric Co.	Virginia, Kentucky, and Ohio.	July. ¹
Ohio Fuel Corporation.	Pittsburgh, Pa.	Do. ¹
Columbus, Delaware & Marion Electric Co.	Ashley, Ohio.	Do. ¹
Ashley Light, Heat & Power Co. (sold to Morrow Public Service Co., Cardington, Ohio).		
Richwood Light, Heat & Power Co.	Richwood, Ohio.	August. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Columbus Railway Power & Light Co. (subsidiary of United Light & Power Co., through Continental Gas & Electric Corporation, a subsidiary of United Light & Railways Co.):		
Centerburg Electric Co.	Centerburg, Ohio.	July. ¹
Mount Sterling municipal plant.	Ohio.	January. ¹
Commonwealth Power Corporation (see also Consumers Power Co., Ohio Edison Co. (Springfield, Ohio)):		
Belle Center Light & Power Co.	Belle Center, Ohio.	June.
Southern Indiana Gas & Electric Co. (Evansville, Ind.): Fort Branch Electric Light Co.	Fort Branch, Ind.	January. ¹
Southern Michigan Light & Power Co. (Hudson, Mich.):		
Community Power Co.	Carson City, Mich.	September.
Lake Shore Electric System.	Douglas, Saugatuck, and Shorewood, Mich.	July.
Ravenna-Conklin-Marne Power Co.	Ravenna, Conklin, Marne, and Eastmanville, Mich.	September. ¹
Tennessee Electric Power Co. (Chattanooga, Tenn.): Murfreesboro Light & Power Co.	Murfreesboro, Tenn.	March. ¹
Commonwealth Utilities Corp. (Wiley F. Corl, St. Louis, Mo.):		
Louisiana Ice & Utilities, (Inc.), Electric light and power plants.	Bunkie, Colfax, and Lutecher, La.	January.
Municipal electric light & water plant.	Mansura, La.	September.
Small properties in.	Mississippi.	February. ¹
Connecticut Light & Power Co. (subsidiary of Connecticut Electric Service Co.):		
Meriden Electric Light Co.	Meriden, Conn.	March. ¹
Meriden Gas Light Co.	do.	Do. ¹
New Milford Electric Light Co.	New Milford, Conn.	Do. ¹
Westport Electric Co.	Westport, Conn.	Do. ¹
Woodbury Electric Co.	Woodbury, Conn.	Do. ¹
Consolidated Gas, Electric Light & Power Co. of Baltimore:		
Freedom District Electric Light Co.	Near Eldersburg, south of Westminster, Md.	January. ¹
Pennsylvania Water & Power Co.: (10,000 shares of stock, par \$100).	Holtwood, Pa.	Do. ¹
Consolidated Water Power Co. (Wisconsin Rapids, Wis.) subsidiary of Consolidated Water Power & Paper Co. (water power developments in).	Biron and Wisconsin Rapids, Wis.	May. ¹
Onelda Power Co.	Wisconsin Rapids.	June. ¹
Consumers Power Co. (Jackson, Mich.) (subsidiary of Commonwealth Power Corporation):		
Gregory Electric Light Plant.	Gregory, Mich.	September.
Ionia Water Power & Electric Co.	Ionia, Mich.	March.
Municipal lighting plant.	Reed City, Mich.	Do. ¹
Municipal power plant.	Frankenmuth, Mich.	September. ¹
Rouge River Electric Light & Power Co.	Rockford, Mich.	Do.
Southern Michigan Light & Power Co.	Hudson, Mich.	Do.
Continental Light & Power Co.: Municipal electric light plant.	St. Jo. Tex.	March. ¹
Day & Zimmermann, (Inc.) (Philadelphia, Pa.):		
General Public Utilities Co.—		
Consolidated Power & Light Co.	Deadwood, S. Dak.	May. ¹
Dakota Power Co.	Rapid City, S. Dak.	Do. ¹
Gothenburg Light & Power Co.	Gothenburg, Nebr.	Do. ¹
Gulf Public Service Co.	Louisiana.	Do. ¹
Municipal lighting plant.	Alamogordo, N. Mex.	September. ¹
Nebraska Light & Power Co.	McCook, Nebr.	May. ¹
Southwestern Public Service Co.	New Mexico, Arizona, and Texas.	Do. ¹
Municipal electric light & ice plant.	McLean, Tex.	December. ¹
Derby Gas & Electric Corporation (subsidiary of Utilities Power & Light Corporation):		
Derby Gas & Electric Co.	Derby, Shelton, and Ansonia, Conn.	August. ¹
Wallingford Gas Light Co.		
East Texas Public Service Co. (Marshall) (subsidiary of Middle West Utilities Co. through American Public Service Co., a subsidiary of Central & South West Utilities Co.):		
Carthage Electric & Ice Co.	Carthage, Tex.	Do. ¹
Center Electric & Ice Co.	Center, Tex.	Do. ¹
Home Light & Ice Co.	Pittsburg, Tex.	February. ¹
Tenaha Electric & Ice Co.	Tenaha, Tex.	August. ¹
Eastern New Jersey Power Co. (Asbury Park, N. J.) (subsidiary of Utilities Power & Light Corporation):		
Browns Mills Electric Light & Power Co.	Browns Mills, N. J.	June. ¹
New Egypt Light, Heat, Power & Water Co.	New Egypt, N. J.	Do. ¹
Eastern Utilities Corporation (Chicago, Ill.):		
Municipal plant.	Urbanna, Va.	September. ¹
People's Light, Heat & Power Corporation.	West Point, Va.	Do. ¹
Electric Co. of New Jersey (Bridgeport, N. J.) (subsidiary of American Gas & Electric Co.): Harrison Heights Improvement Co.	Mullica Hill, N. J.	Do.

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Electric Bond & Share Co. (see also Arkansas Power & Light Co., Carolina Power & Light Co., Florida Power & Light Co., Houston Light & Power Co., Idaho Power Co., Kansas Gas & Electric Co., Lehigh Power Securities Co., Louisiana Power & Light Co.): American & Foreign Power Co.— Havana Electric & Utilities Co. Havana Electric Ry., Light & Power Co. (Havana, Cuba): Cuban Utilities Co.	Habana, Cuba	July. ¹
Havana Electric Ry., Light & Power Co.	Santiago and Camaguey, Cuba.	August. ¹
Mississippi Power & Light Co. (Jackson) (subsidiary of Electric Power & Light Corporation)— Home Light & Power Co. (municipal plant). Panola Electric Light & Power Co. Planter's Oil Mills (lighting and ice-making plant). Sunflower Light, Ice & Power Co. Pacific Power & Light Co. (Portland, Oreg.) (subsidiary of American Power & Light Co.)— Inland Power & Light Co.— Deschutes Power Co. Bend Water, Light & Power Co. Deschutes Power Co. Enterprise Electric Co. Grangeville Electric Light & Power Co.	Habana, Cuba Santiago and Camaguey, Cuba. Yazoo, Miss. Sardis, Miss. Tunica, Miss. Indianola, Miss. Prineville, Oreg. Bend, Oreg. Prineville, Oreg. Enterprise, Oreg. Grangeville, Idaho	Do. ¹ January. ¹ July. ¹ January. ¹ September. January. ¹ Do. Do. Do. ¹ Do. ¹
Pennsylvania Power & Light Co. (Allentown, Pa.) (subsidiary of Lehigh Power Securities Corporation)— Duryea Borough-Luzerne Power & Light Co. Exeter-Luzerne Power & Light Co. Lehigh Electric Light & Power Co. Palmerston Light Co. Panther Valley Electric Co. Pittston-Luzerne Power & Light Co. White Haven Light, Heat & Power Co. Dennison Electric Co. Texas Power & Light Co. (subsidiary of American Power & Light Co., through Southwestern Power & Light Co.): Cameron Water Power & Light Co. Llano Electric Light & Power Plant (Llano Milling & Manufacturing Co.). Municipal light and power department. Municipal light, water & ice plant. Texas Public Utilities Co. (Dallas, Tex.) (subsidiary of American Power & Light Co., through Southwestern Power & Light Co.)— Ashcroft & Sons (B. F.) Electric Light & Power Plant. Bellville Cotton Oil Co. San Marcos Utilities Co. Utah Power & Light Co. (Salt Lake City) (subsidiary of Electric Power & Light Corporation): Green River Electric Light & Power Co. Moab Power & Light Co. Municipal electric light & power plant. Western Colorado Power Co.: Telluride Power Co. (Colorado department).	Pennsylvania Lehigh, Pa. Palmerston, Pa. Lansford, Pa. Pennsylvania White Haven, East White Haven, and Tannery, Pa. Cameron, Tex. Llano, Tex. Nacogdoches, Tex. Canton, Tex. Sulphur Springs, Tex. Bellville, Tex. San Marcos, Tex. Green River, Wyo. Moab, Utah Green River, Utah Salt Lake City, Utah	May. June. ¹ July. June. ¹ May. August. ¹ January. ¹ April. ¹ March. ¹ December. ¹ January. ¹ April. April. September. October. ¹ August. ¹ September.
Electric Public Service Co.: Colorado Central Power Co.	16 communities near Denver, Colo. Englewood, Colo.	December. ¹ Do. ¹
Arapahoe Electric Light & Power Co. Jefferson County Power & Light Co. Oklahoma Utilities Co. (Fairfax, Okla.): Fairfax Electric Light, Heat & Power plant. Hominy, Ice, Light & Power Co. Ralston Light, Power & Water Works. Toledo, Bowling Green & Southern Traction Co. Empire Power Corporation (E. L. Phillips interests): Empire Gas & Electric Co. Long Island Lighting Co. New York Central Electric Corp. Hammondsport Electric Light Co. Municipal electric plant. Richmond Light, Heat & Power Co. United Gas & Electric Corporation. Engineers Public Service Co. (New York, N. Y.) (under executive management of Stone & Webster (Inc.)).	Golden, Colo. Fairfax, Okla. Hominy, Okla. Ralston, Okla. Findlay, Ohio Geneva, N. Y. New York, N. Y. Perry, N. Y. Hammondsport, N. Y. Savona, N. Y. Richmond, Ind. New York, N. Y.	Do. ¹ January. ¹ July. August. September. February. ¹ Do. ¹ Do. ¹ Do. ¹ April. ¹ March. ¹ January. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Engineers Public Service Co.—Con. Baton Rouge Electric Co. Eastern Texas Electric Co. Gulf States Utilities Co. (Lake Charles, La.)— Light & Power properties of Eastern Texas Electric Co. Municipal light plant. El Paso Electric Co. Key West Electric Co. Savannah Electric & Power Co. Virginia Electric & Power Co. (Richmond, Va.): Bowling Green Light & Power Co. Municipal plant. Smithfield Power Co. Fayette Utilities Co. (Oak Hill, W. Va.): Fayette Public Service Co. Florida Power & Light Co. (Miami, Fla.) (Subsidiary of American Power & Light Co.; under supervision of Electric Bond & Share Co.): Brevard County Power Co. Daytona Public Service Co. Hollywood Electric, Light & Water Department. Miami Beach Electric Co. Miami Electric Light & Power Co. Ormond Supply Co. St. John's Electric Co. Southern Utilities Co. Municipal distribution systems. Municipal electric plants. Municipal light plant. Municipal plant. Foshay, W. B. Co. (Minneapolis, Minn.): Peoples Light & Power Corporation— Peoples Arizona Gas & Electric Co.: Globe Electric Light & Gas Co.: Peoples California Hydro-Electric Corporation— Alturas Electric Power Co. Fort Bragg Electric Co. Mendocino Light & Power Co. Peoples Hydro-Electric Vermont Corporation— Montpelier & Barre Light & Power Co. Green Mountain Power Co. Vergennes Electric Co. Peoples Iowa City Water Works Corporation: Iowa City Water Works Co. Peoples Minnesota Gas & Electric Corporation— Bemidji Gas Co. Crookston Gas Co. Henderson Light & Power Co. Waconia Light & Power Co. Peoples West Coast Hydro-Electric Corporation (Newport, Oreg.)— West Coast Power Co.— Adams County Light & Power Co. Burns Power & Light Co. Clatskanie Power & Light Co. Florence Electric Co. General Light & Power Corporation. Ilwaco Light & Power Co. Shorley Light & Power Co. Skamania Light & Power Co. Waldport Light Co. Willapa Power Co. Wood River Power Co. Peoples Wisconsin Hydro-Electric Corporation— Municipal Water Supply. Municipal Power Corporation. New Richmond Power Co. Wisconsin Hydro-Electric Co. Midland Power Co. Viborg Electric Service Co. Fulton County Gas & Electric Co. (Gloversville, N. Y.) (subsidiary of Mohawk Hudson Power Corporation): Broadalbin Electric Light & Power Co. Gage County Electric Co. (Beatrice, Nebr.): Black Bros. (light and power service). Galveston Electric Co. (Galveston, Tex.) (under executive management of Stone & Webster (Inc.)): Brush Electric Co. Gary Heat, Light & Water Co. (Ind.): Municipal electric lighting systems. General Engineering & Management Corporation. (See also Inland Power & Light Co.) Fitkin Utilities (Inc.)— Campbell Electric Light & Power Co. City Operating Co. James (B. L.), electric light plant.	Baton Rouge, La. Beaumont, Tex. Lake Arthur, La. El Paso, Tex. Key West, Fla. Savannah, Ga. Bowling Green, Va. Tappahannock, Va. Smithfield, Va. Fayetteville, W. Va. Cocoa, Fla. Daytona, Fla. Hollywood, Fla. Miami Beach, Fla. Miami, Fla. Ormond, Fla. St. Augustine, Fla. Palatka, Fla. Coral Gables, Fla. Punta Gorda, Fla. Delray and Florida City, Fla. Punnell, Fla. Sarasota, Fla. Globe, Ariz. Alturas, Calif. Fort Bragg, Calif. Mendocino, Calif. Montpelier, Vt. Montpelier, Vt. Vergennes, Vt. Iowa City, Iowa Minnesota do. Henderson, Minn. Waconia, Minn. Cambridge, Idaho Burns, Oreg. Clatskanie, Oreg. Florence, Oreg. Shelton, Wash. Ilwaco, Wash. Reedsport, Oreg. Stevenson, Wash. Waldport, Oreg. South Bend, Wash. Halley, Idaho Hurley, Wis. Wisconsin New Richmond, Wis. Amery, Wis. Northwestern Minnesota Viborg, S. Dak. Broadalbin, N. Y. Beatrice, Nebr. Galveston, Tex. Gary, Ind. Campbell, Mo. Jasper, Fla. Steele, Mo.	May. ¹ January. ¹ November. September. March. ¹ Do. ¹ Do. ¹ August. January. ¹ April. September. May. January. ¹ August. January. ¹ Do. ¹ Do. ¹ Do. ¹ Do. ¹ April. ¹ November. October. ¹ August. ¹ January. ¹ September. ¹ October. ¹ August. ¹ October. ¹ August. ¹ August. ¹ September. Do. Do. July. Do. November. ¹ October. Do. Do. Do. Do. November. ¹ May. ¹ Do. ¹ November. ¹ May. Do. ¹ Do. ¹ October. ¹ May. ¹ March. December. May. ¹ November. ¹ May. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
General Engineering & Management Corporation—Continued.		
Florida Power Corporation—		
Central Florida Power Co.	St. Petersburg, Fla.	December. ¹
Pinellas County Power Co.	Tallahassee, Fla.	Do. ¹
West Florida Power Co.		Do. ¹
Georgia-Florida Power Co.—		
Bainbridge Power Co.	Southwestern Georgia, in vicinity of Bainbridge, Ga.	May. ¹
Municipal electric light plant.	Colquitt, Ga.	March.
Seminole Power Co.	Southwestern Georgia, in vicinity of Bainbridge, Ga.	Do.
Jersey Central Power & Light Co.—		
New Jersey Gas & Electric Co.—	Atlantic Highlands and Barnegat, N. J.	June. ¹
Municipal plants.		
National Public Service Corporation—		
Tide Water Power Co. (Wilmington, N. C.)—Duplin Light & Power Co.	Wallace, N. C.	September.
Virginia Public Service Corporation—		
Alexandria Light & Power Co.	Charlottesville, Va.	April. ¹
Appomattox Light & Power Co.	Alexandria, Va.	Do. ¹
Charlottesville & Albemarle Railway Co.	Appomattox, Va.	August.
Newport News & Hampton Railway, Gas & Electric Co.	Virginia.	July. ¹
South Side Virginia Power Co.	do.	January. ¹
Luray Power Co.	South Boston, Va.	March. ¹
Virginia Northern Power Co.	Luray, Va.	February. ¹
Virginia Western Power Co.	Warrenton, Va.	April. ¹
Western United Corporation—	Clifton Forge, Va.	Do. ¹
Aurora, Elgin, Fox River Electric Co.	Elgin, Ill.	February. ¹
Southern Illinois Gas Co.	Murphysboro, Ill.	Do. ¹
Western United Gas & Electric Co.	Aurora, Ill.	Do. ¹
Fox River Power Co.		November.
General Gas & Electric Corporation (Del.)—		
Broad River Power Co. (Columbia, S. C.)—Enoree Power Co.	Wellford, S. C.	July. ¹
Florida Public Service Co. (Orlando, Fla.)—Municipal power plant.	Umatilla, Fla.	August. ¹
General Finance Corp.—		
Annville & Palmyra Electric Light Co.	Lebanon County, Pa.	March. ¹
Berks-Lehigh Electric Co.	Berks and Lehigh Counties, Pa.	July.
Bernville Light, Heat & Power Co.	Bernville, Pa.	Do.
Boyetown Electric Co.	Boyetown, Pa.	March. ¹
French Creek Electric Co.	West Virginia.	June.
Melrose Power & Manufacturing Co.	Pennsylvania.	October.
Orrtanna Electric Light & Power Co.	Orrtanna, Pa.	February. ¹
Weisenberg Township Electric Light & Power Co.	Weisenburg, Pa.	Do.
Manufacturers' Power Co.	Spartanburg, S. C.	May. ¹
Blue Ridge Power Co.	Hendersonville, N. C.	Do. ¹
Metropolitan Edison Co. (Reading, Pa.)—		
Blue Mountain Electric Co.	Berks and Lebanon Counties, Pa.	November. ¹
Cumberland Valley Light & Power Co.	Adams, Cumberland, and York Counties, Pa.	March. ¹
Gettysburg Electric Co.		
Hanover Power Co.	Silver Run and Union Mills, Md.	October.
Maryland Public Service Co.	York Haven, Pa.	December. ¹
York Haven Water & Power Co.		
New Jersey Power & Light Co. (Dover, N. J.)—		
Community Light & Power Co.	Quakertown, N. J.	October. ¹
Hunterdon Electric & Power Co.	High Bridge, N. J.	April.
Jersey Electric Co.	do.	Do.
Northern Pennsylvania Power Co. (Towanda, Pa.)—		
North Penn Power Co.	Blossburg, Pa.	Do. ¹
Sayre Electric Co.	Sayre, Pa.	Do. ¹
Susquehanna County Light & Power Co.	Susquehanna, Pa.	Do. ¹
Towanda Gas & Electric Co.	Towanda, Pa.	Do. ¹
General Power & Light Co.:—		
Arizona Edison Co.	Douglas, Ariz.	January.
Northern Michigan Public Service Co.	Traverse City, Mich.	Do.
Southern Edison Co. (Douglas, Ariz.):—		
Arizona Edison Co.	Douglas, Ariz.	June.
Bisbee Improvement Co.	Bisbee, Ariz.	Do.
Douglas Gas Co.	Douglas, Ariz.	Do.
Douglas Improvement Co. (ice department).	do.	Do.
Douglas Traction & Light Co.	do.	Do.
Yuma Light, Gas & Water Co.	Yuma, Ariz.	Do.
Des Arc Light & Ice Co.	Des Arc, Ark.	July. ¹
Florence Improvement Co.	Florence, Ariz.	June.
Leslie electric light and power plant.	Leslie, Ark.	July. ¹
Loutre Power Co.	Beebe, Ark.	Do. ¹
Stamps Light & Power Co.	Stamps, Ark.	Do. ¹
Panola Electric Light & Power Co.	Sardis, Batesville, and Como, Miss.	Do. ¹
Municipal light and water plant.	Senatobia, Miss.	December. ¹
Western States Utilities Co. (Chicago, Ill.):—		
Evans Light Co.	Malad City, Idaho.	January.
Cokeville Light & Power Co.	Cokeville, Wyo.	Do.
Morgan Electric Light & Power Co.	Morgan, Utah.	Do.
Winnemucca Water & Light Co.	Winnemucca, Nev.	Do.
Georgia-Carolina Power Co. (subsidiary of Augusta-Aiken Railway & Electric Corporation): Georgia-Carolina Electric Co.—Carolina Light & Power Co.	Aiken, S. C.	June. ¹

¹ Date reported in Electrical World.

Companies involved	Territory served	Date of merger
Georgia Power Co. (subsidiary of Southeastern Power & Light Co.):—		
Athens Railway & Electric Co.	Athens, Ga.	September. ¹
Central Georgia Power Co.	Macon, Ga.	Do. ¹
East Georgia Power Co.	Atlanta, Ga.	December. ¹
Georgia Railway & Electric Co.	Georgia.	September. ¹
Georgia Railway & Power Co.	Atlanta, Ga.	Do. ¹
Georgia Southern Power Co.	Dublin, Ga.	Do. ¹
Municipal electric light plant.	Baxley, Ga.	December. ¹
Georgia Utilities Co.	Northern Georgia.	September. ¹
Macon Railway & Electric Co.	Macon, Ga.	Do. ¹
Milledgeville Lighting Co.	Milledgeville, Ga.	Do. ¹
Rome Railway & Electric Co.	Rome, Ga.	September. ¹
Georgia Railway & Power Co. (subsidiary of Southeastern P. & L. Co.):—		
Demorest Light & Power Co.	Demorest, Ga.	April. ¹
Distribution system (private).	Austell, Ga.	June. ¹
Jones Electric Light & Power Plant.	Senoia, Ga.	September. ¹
Municipal distribution systems.	Douglasville, Ga.	January. ¹
Smith Electric Light Plant.	Greensboro, Ga.	April. ¹
Georgia Southern Power Co. (Dublin, Ga.) (subsidiary of Southeastern Power & Light Co., through Interstate Utilities Corporation):—		
Georgia & Southern Utilities.	Eastman, Ga.	April.
Municipal electric light plant.	Wadley, Ga.	June. ¹
Municipal lighting plant.	Louisville, Ga.	February. ¹
Municipal light and waterworks.	Claxton, Ga.	June. ¹
Municipal lighting plant.	Midville, Ga.	Do. ¹
Municipal light and water plant.	Lyons, Ga.	Do. ¹
Great Western Power Co. of California (subsidiary of North American Co., through Western Power Corporation):—		
Napa Valley Electric Co.	St. Helena, Oak Knoll, and Rutherford, Calif.	May. ¹
Gretna Light & Power Co. (Gretna, La.): Refuge Light & Power Co.	Harvey, La.	September. ¹
Harlem Valley Electric Corporation (Pawling, Dutchess County, N. Y.) (controlled by interests affiliated with Associated Gas & Electric Co.):—		
Amenia Electric Light & Power Co.	Amenia, N. Y.	April. ¹
Carmel Light & Power Co.	Carmel, N. Y.	Do. ¹
Chatham Electric Light, Heat & Power Co.	Chatham, N. Y.	Do. ¹
Juengst & Sons, George.	Croton Falls, N. Y.	Do. ¹
Katonah Lighting Co.	Katonah, N. Y.	Do. ¹
Lebanon Valley Lighting Co.	Canaan, N. Y.	Do. ¹
Morgan & Wyman Electric Light & Power Co.	Dover Plains, N. Y.	Do. ¹
Ridgefield Electric Co. (Connecticut).	Lewisboro, N. Y.	Do. ¹
Haverhill Electric Co. (Haverhill, Mass.) (subsidiary of North Boston Lighting Properties; under management of Charles H. Tenney & Co.):—		
Newburyport Gas & Electric Co.	Newburyport, Mass.	Do.
Houston Light & Power Co. (subsidiary of National Power & Light Co.; under supervision of Electric Bond & Share Co.):—		
Humble Power & Ice Co.	Humble, Tex.	November. ¹
Park Place Water, Light & Power Co. (light and power properties only).	Houston, Tex.	August.
Idaho Power Co. (Boise, Idaho) (subsidiary of Electric Power & Light Hughes & Deiters Co.):—		
Hughes Electric Co. (Bismarck, N. Dak.):—		
Beulah Electric Light Plant.	Beulah, N. Dak.	January.
Gervin Electric Light & Power Co.	Glen Ullin, N. Dak.	Do.
Golden Valley Electric & Power Plant.	Golden Dakota.	Do.
Hazen Electric Light Plant.	Hazen, N. Dak.	Do.
Halliday Electric Light Plant.	Halliday, N. Dak.	Do.
Mandan Electric Co.	Mandan, N. Dak.	Do.
Zap Electric Light Plant (corporation; under supervision of Electric Bond & Share Co.):—		
Salmon River Power & Light Co.	Zap, N. Dak.	Do.
Illinois Northern Utilities Co. (Dixon, Ill.) (subsidiary of Middle West Utilities Co.):—		
Citizens' Utility Co.	Salmon, Idaho.	October. ¹
Marengo Public Service Co.	Durand, Davis, Rock City, and Dakota, Ill.	January. ¹
Illinois Power & Light Corporation (subsidiary of North American Light & Power Co., through Illinois Traction Co.):—		
Champaign County Electric Co.	Marengo, Huntley, and Union, Ill.	September. ¹
Kewanee Public Service Co.	Thomasboro, Ill.	Do.
Le Roy Electric Light Power & Heating Co.	Kewanee, Ill.	Do. ¹
Mahomet Light Heat & Power Co.	Le Roy, Ill.	April. ¹
Mansfield Electric Co.	Mahomet, Ill.	Do. ¹
United Power & Light Corporation.	Mansfield, Ill.	Do. ¹
Illinois Public Service Co.: Sadorus Light & Power Co.	Abilene, Kans.	February. ¹
Indiana-Ohio Public Service Co.: Union Heat, Light & Power Co.	Sadorus, Ill.	November. ¹
Inland Power & Light Co. (under management of General Engineering & Management Corporation):—		
Commonwealth Light & Power Co.—	Union City, Ind.	June. ¹
Interstate Electric Corporation—		
Arkansas-Missouri Power Co. (Blytheville, Ark.).		Do. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Inland Power & Light Co. (under management of General Engineering & Management Corporation—Contd. Commonwealth L. & P. Co.—Contd. Interstate Electric Corporation—Continued.		
East Missouri Power Co. (Troy, Mo.)—		
Belleflower Electric Light & Power Co.	Belleflower, Mo.	Do. ¹
Trenton Gas & Electric Co.	Trenton, Mo.	June. ¹
Electric properties.	Bismarck, Irondale, and Iron Mountain, Mo.	November. ¹
	Hawk Point, Old Monroe, St. Peters, Steele, Trenton, and Winfield, Mo.	September. ¹
Iron County Electric P. & L. Co.	Arcadia, Mo.	November.
Luxora Water & Light Co.	Luxora, Ark.	August. ¹
Missouri Utilities Co.	Poplar Bluff, Mo.	November. ¹
Municipal systems.	Osceola, Ark.	August.
Piedmont Light & Power Co.	Matson, Mo.	July. ¹
Potosi Light & Power Co.	Piedmont, Mo.	November. ¹
Peoples' Gas & Electric Co.	Potosi, Mo.	Do. ¹
United Light & Power Co.	Chillicothe, Mo.	June. ¹
Kansas Power Co. (Concordia, Kans.)—	Downs, Kans.	Do. ¹
Central Kansas Public Service Co.	Ellsworth, Kans.	August. ¹
Dalhart Ice & Electric Co.	Dalhart, Tex.	June. ¹
Electric Service Co.	Dodge City, Kans.	August. ¹
Great Bend Water & Electric Co.	Great Bend, Kans.	Do. ¹
Hosington Electric & Ice Co.	Hosington, Kans.	Do. ¹
Liberal Light & Power Co.	Liberal, Kans.	Do. ¹
Phillips County Light & Power Co.	Phillipsburg, Kans.	Do. ¹
Smith Center Light Plant.	Smith Center, Kans.	April.
Municipal Distribution System & Transmission Line.	Haddam, Kans.	October. ¹
Michigan United Light & Power Co. (Ludington, Mich.)—		
Boyer City Electric Co.	Boyer City, Mich.	October. ¹
Boyer River Power Co.	do.	Do. ¹
Elk Electric Co.	Elk Rapids, Mich.	Do. ¹
Grayling Electric Co.	Grayling, Mich.	Do. ¹
Michigan Public Service Co.	Cheboygan, Mich.	October. ¹
White River Power & Light Co.	Whitehall, Mich.	Do. ¹
International Power Co. (Ltd.):		
Bolivian Power Co. (Ltd.)	Bolivia	March. ¹
Demerara Electric Co. (Ltd.)	British Guiana	Do. ¹
Newfoundland L. & P. Co. (Ltd.)	Newfoundland	Do. ¹
San Salvador Electric Light Co.	Salvador, C. A.	Do. ¹
Venezuela Power Co. (Ltd.)	Venezuela	Do. ¹
International Utilities Corporation:		
Municipal electric light and power plant.	Vegreville, Alberta	May. ¹
Nanaimo Light & Power Co.	Nanaimo, British Columbia, Canada.	April. ¹
Interstate Public Service Co. (Indianapolis, Ind.; subsidiary of Middle West Utilities Co.):		
French Lick & West Baden Water, Light, Heat & Power Co.	Orange County, Ind.	May. ¹
Municipal plant.	Loogootee, Ind.	April. ¹
Iowa Electric Co. (Cedar Rapids, Iowa):		
Grant Mill Co.	Grant, Iowa	September.
Monticello Hydro Electric Co.	Monticello, Iowa	March. ¹
Municipal electric lighting system.	McCausland, Iowa	November.
Iowa Light, Heat & Power Co. (subsidiary of Sioux City (Iowa) Gas & Electric Co.; United Gas Improvement Co. is interested in these properties):		
Lidderdale Electric Lighting Distribution System.	Lidderdale, Iowa	September. ¹
Lytton Electric Co.	Lytton, Iowa	Do.
Municipal light plant.	Galva, Iowa	January.
Iowa Light & Power Co.: Marion County Electric Co.	Knoxville, Iowa	March. ¹
Iowa Railway & Light Corporation (Cedar Rapids, Iowa; subsidiary of United Light & Power Co.):		
Maxwell Electric Co.	Maxwell, Iowa	September.
Modern Light & Power Co.	Atkins, Iowa	February. ¹
Iowa Southern Utilities Co., municipal lighting plant.	Eddyville, Iowa	April. ¹
Island Power Co. (New York): Patchogue Electric Light Co.	Patchogue, N. Y.	March. ¹
Johnson, Arthur W.: Custer Electric Light & Power Co.	Custer, S. Dak.	September. ¹
Kansas City Power & Light Co. (subsidiary of Continental Gas & Electric Corporation, through Kansas City Power Securities Corporation):		
Municipal system.	Edgerton, Kans.	April. ¹
Panhandle Power & Light Co.	Panhandle oil field	November.
Kansas Electric Power Co. (Lawrence, Kans.) (subsidiary of National Electric Power Co.):		
Eastern Kansas Power Co.	Eureka & Greenwood, Kans.	August. ¹
Municipal electric light and power plant.	Madison, Kans.	December. ¹
Ohio Electric Power Co.—		
Miami Valley Electric Co.—	Union City, Ohio	Do.
Union City Electric Co.	Union City, Ind.	Do.
Kansas Gas & Electric Co. (Wichita, Kans.) (subsidiary of American Power & Light Co., under supervision of Electric Bond & Share Co.):		

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Kansas Gas & Electric Co.—Continued.		
Municipal electric systems.	Cona, Kans.	November.
	ns, Kans.	October. ¹
Municipal light and power plants.	Elk City, Kans.	July. ¹
	Cheney, Garden Plain, and Goddard, Kans.	April. ¹
Kansas Light & Power Co.: Oketo Electric plant.	Oketo, Kans.	September.
Kentucky-Tennessee Power Co.: Municipal plant (lease, 30-year).	Paris, Tenn.	January. ¹
Kentucky Utilities Co. (Louisville, Ky.) (subsidiary of Middle West Utilities Co.):		
Beaver Dam Milling Co.	Beaver Dam, Ky.	October. ¹
Hiseville Light & Power Co.	Hiseville, Ky.	September.
Kentucky Light & Power Co.	Louisville, Ky.	March. ¹
Marion Electric Light, Ice & Water Co.	Marion, Ky.	February. ¹
Morton's Gap electric light plant.	Mortons Gap, Ky.	September.
	Eddyville, Fredonia, Clarkson and Simpsonville, Ky.	October. ¹
Municipal electric systems.	Harrodsburg and Wickliffe, Ky.	December. ¹
	Kuttawa, Ky.	November.
Public Service Co. (Inc.)	Earlington & Sturgis, Ky.	September. ¹
West Kentucky Electric Power Co.—		
George H. Knutson (Chicago, Ill.):		
Carey Electric Light & Power Co. (Wisconsin).	Wilmet, Wis.	May. ¹
Carey Electric Light & Milling Co. (Illinois).	do.	Do. ¹
Princeton Water & Light Co.	Princeton, Ind.	Do. ¹
La Fayette Power & Light Co.: Plank Road Light & Power Co.	Elkhorn, Wis.	November. ¹
Lake Erie Power & Light Co.: Lake Shore Electric Railway Co. (light and power business only).	Cleveland, Ohio	April. ¹
Bellevue Illuminating & Power Co.	Bellevue, Castalia, Vermilion, Berlin Heights, Avon Lake, Avon, and Bay village districts.	Do. ¹
Bellevue Light & Power Co.		
Peoples' Light & Power Co.		
Lake Superior District Power Co. (Ashland, Wis.), subsidiary of Middle West Utilities Co., through North West Utilities Co.):		
Athens Electric Light & Power Co.	Athens, Wis.	March. ¹
Glidden Light, Power & Water Co.	Glidden, Wis.	November. ¹
Hayward Electric Light & Power Co. Municipal system.	Haywood, Wis.	February. ¹
Latimer (A. H.) and Peterson (J. W.):	Rib Lake, Wis.	March. ¹
Louisiana Light, Power & Traction Co. which was succeeded by Missouri Edison Co.	Bowling Green, Clarksville, and Louisiana, Mo.	Do. ¹
Lehigh Power Securities Corporation (under supervision of Electric Bond & Share Co.):		
Berkshire Electric Co.		
Delta Electric Power Co.		
Harrisburg Light & Power Co.		
Lancaster County Railway & Light Co., including Edison Electric Co., of Lancaster and other subsidiaries.	Pa.	January. ¹
Lebanon Valley Light & Power Co., and subsidiaries.		
Long Beach Power Co.: Municipal power plant.	Lynbrook, N. Y.	October. ¹
Louisiana Power & Light Co. (subsidiary of Electric Power & Light Corporation through Arkansas Light & Power Co.; under supervision of Electric Bond & Share Co.): Municipal light & water plant.		
McCurran Light & Power Co. (Idabel, Okla.): Valliant Electric Plant Co.	Bastrop, La.	October. ¹
McGraw Electric Co.	Valliant, Okla.	September. ¹
Central West Public Service Co. (W. N. Albertson, Milwaukee, Wis.)—		
Albion Electric Light Co.	Albion, Nebr.	July. ¹
Amherst Electric Light Co.	Amherst, S. Dak.	Do. ¹
Bowman Electric Co.	Bowman, N. Dak.	Do. ¹
Britton Mill & Power Co. (Inc.)	Britton, S. Dak.	Do. ¹
Buffalo Electric L., H. & P. Co.	Buffalo, N. Dak.	Do. ¹
Gackle Light, Heat & Power Co.	Gackle, N. Dak.	Do. ¹
Hawkeye State Power Co.	Davenport, Iowa	Do. ¹
Hettinger Electric L. & P. Co.	Hettinger, N. Dak.	Do. ¹
Medina Light & Power Co.	Medina, N. Dak.	Do. ¹
Northern Utilities Co.	Starkweather, N. Dak.	Do. ¹
Reeder Electric Light Plant.	Reeder, N. Dak.	Do. ¹
South Dakota Utilities Co.	Aberdeen, S. Dak.	Do. ¹
Streeter Electric Light System.	Streeter, N. Dak.	Do. ¹
Tower City Light & Power Co.	Tower City, N. Dak.	Do. ¹
Three Rivers Light & Power Co.	Des Moines, Iowa	Do. ¹
Belmond Telephone Co.	Belmond, Iowa	Do. ¹
Columbus Gas Co.	Columbus, Nebr.	Do. ¹
Norfolk Gas & Fuel Co.	Norfolk, Nebr.	Do. ¹
Rapid City Gas & Fuel Co.	Rapid City, S. Dak.	Do. ¹
Platte Valley Power & Light Co.	Bemington, Elkhorn, Jackson, etc., Nebr.	November. ¹
Platte Valley Power Co. (Omaha, Nebr.)		
Hooper Electric Light & Power Co.	Hooper, Nebr.	October. ¹
Water, Light & Power Co.	Hot Springs, S. Dak.	November. ¹
Middle West Utilities Co.: See also Central Illinois Public Service Co., Central Power & Light Co., Central Wisconsin Power Co., Chickasha Gas & Electric Co., East Texas Public Service Co., Illinois Northern Utilities Co., Interstate Public Service Co., Kansas Electric Power Co., Kentucky Utilities Co.		

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Middle West Utilities Co.—Continued.	Indiana	March. ¹
Indianapolis Light & Heat Co. (28½ per cent interest).		
Missouri Gas & Electric Service Co. (Lexington, Mo.): Dearborn Electric Co.	Dearborn, Mo.	February.
National Electric Power Co.—Cumberland County Power & Light Co. (expected that this property will be merged with New England Public Service Co.).	Portland, Me.	July. ¹
Eastern Kansas Power Co.	Eureka, Kans.	Do. ¹
Kansas Electric Power Co.	Lawrence, Kans.	Do. ¹
Michigan Electric Power Co.	Battle Axe, Mich.	Do. ¹
Northwest Power Co.	Huron, S. Dak.	Do. ¹
Northwestern Public Service Co.	Oberlin, Ohio	Do. ¹
Ohio Electric Power Co.	Altoona, Pa.	Do. ¹
Penn Central Light & Power Co.		
Southwest Power Co. (McAlester, Okla.):	Arkansas, Indiana, Kansas, Kentucky, Maine, Michigan, Nebraska, Ohio, Oklahoma, Pennsylvania, South Dakota, West Virginia.	Do.
Pittsburg Water & Light Co.	Pittsburg, Okla.	April.
New England Public Service Co.—National Light, Heat & Power Co.—Vermont Hydro Electric Corporation—Dorset Electric Light Co. (Inc.).	Dorset, Vt.	January.
Public Service Co. of New Hampshire—Ashuelot Gas & Electric Co.	Keene, N. H.	October. ¹
Bradford Electric Co.	Bradford, Vt.	May. ¹
Conway Electric Light & Power Co.	Conway, N. H.	October.
Fryeburg Electric Light Co.	Fryeburg, Me.	Do.
Keene Gas & Electric Co.	Keene, N. H.	August. ¹
Laconia Gas & Electric Co.	Laconia, N. H.	Do. ¹
Manchester Traction, Light & Power Co.	Manchester, N. H.	September. ¹
Souhegan Valley Electric Co.	Milford, N. H.	Do. ¹
Southern New Hampshire Hydro-Electric Corporation.	Boston, Mass.	October.
Swans Falls Co.	Fryeburg, Me.	Do.
Western Maine Power Co.	Limerick, Me.	April. ¹
North American Light & Power Co. (one-third interest).		September. ¹
Pekin Light Co.	Pekin, Ind.	October. ¹
Public Service of Northern Illinois (Chicago): Municipal distribution system.	Lombard, Ill.	November. ¹
Public Service Co. of Oklahoma: Choctaw Electric Light Co.	Choteau, Okla.	Do.
Public Service Co. of Vermont (Rutland): Hortonia Power Co.	Brandon, Vt.	Do. ¹
Southern Wisconsin Electric Co. (Lake Geneva, Wis.) (subsidiary of North West Utilities Co.): Carey Electric Light & Power Co.	Slades Corner, Twin Lakes, and Bassett, Wis.	October. ¹
Southern Wisconsin Power Co. (Madison, Wis.) (subsidiary of North West Utilities Co.): Friendship Electric Light & Power Co.	Friendship, Wis.	March. ¹
Southwestern Gas & Electric Co. (subsidiary of Central & South West Utilities Co., through Southwestern Securities Co.): Central Power & Light Co.	Ashdown, Ark.	August. ¹
Mena electric light plant.	Mena, Ark.	Do. ¹
Waldron Electric Light & Power Co.	Waldron, Ark.	May. ¹
Southwestern Light & Power Co. (Lawton, Okla.) (subsidiary of Central & South West Utilities Co.): Gould Electric Light Co.	Gould, Okla.	August.
Inland Utilities Co.	All properties in Oklahoma, including Hobart, Elk City, Shattuck, etc.	April.
Municipal systems.	Lone Wolf, Okla.	May. ¹
	Sayre and Weatherford, Okla.	October. ¹
Texas Central Power Co. (San Antonio, Tex.) (subsidiary of Central & South West Utilities Co., through Central Power & Light Co.): Brackettville electric and ice plant.	Brackettville, Tex.	May. ¹
Cotulla Light & Ice Co.	Cotulla, Tex.	March. ¹
Goliad Supply Co.	Goliad, Tex.	Do. ¹
Hebbronville Electric Light Plant.	Hebbronville, Tex.	Do. ¹
Moulton Light & Ice Co.	Moulton, Tex.	May. ¹
Fagel Electric & Ice Co.	Schulenburg, Tex.	March. ¹
Sabinal Utilities Co.	Sabinal, Tex.	Do. ¹
Three Rivers Electric Light Plant.	Three Rivers, Tex.	Do. ¹
Valley Electric & Ice Co. (San Benito, Tex.) (subsidiary of Central Power & Light Co.): Municipal Light & Water Plant.	Edinburg, Tex.	June. ¹
West Texas Utilities Co. (Abilene, Tex.) (subsidiary of Central & South West Utilities Co., through American Public Service Co.): Bronte Light & Power Co.	Bronte, Tex.	Do.
Crowell Utilities Co.	Crowell, Tex.	September.
Junction Light Plant.	Junction, Tex.	January. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Middle West Utilities Co.—Continued.		
Wisconsin Power & Light Co. (Madison, Wis.) (subsidiary of North West Utilities Co.):		
Beloit Water, Gas & Electric Co.	Beloit, Wis.	May. ¹
Cambridge-Albion Electric Co.	Cambridge, Albion, London, and Lake Ripley, Wis.	February. ¹
Central Wisconsin Power Co.	Madison, Wis.	September. ¹
Deltion Electric Co.	Deltion, Wis.	April. ¹
Friendship Electric L. & P. Co.	Friendship, Wis.	August.
Iola Light, Power & Mfg. Co.	Iola, Wis.	March. ¹
Ironton Milling & Light Plant.	Ironton, Wis.	August.
Macfarland Light & Power Co.	Macfarland, Wis.	January. ¹
Merrimac Electric Co.	Merrimac, Wis.	August.
Municipal electric light plant.	Milton Junction, Wis.	October. ¹
Municipal electric plants.	Blanchardville, Wis.	April. ¹
	Milton, Wis.	August. ¹
	(Middleton, Wis.)	February. ¹
Municipal systems.	Fox Lake, Wis.	Do. ¹
Scandinavian Light & Power Co.	Scandinavia, Wis.	Do. ¹
Southern Counties Power Co.	To be known as District H: Paoli, Bosco, Belleville, Monticello, McFarland, Verona, Brooklyn, New Glarus, Stewart and Blanchardville, Wis.	February. ¹
Trenton Light & Power Co.	Fox Lake and Trenton, Wis.	August.
Midland Utilities Co.: Indiana Service Corporation (Fort Wayne, Ind.):		
Berne Electric Co.	Berne, Ind.	Do. ¹
Bryant Electric Co.	Bryant, Ind.	Do. ¹
Marion & Bluffton Traction Co.	Bluffton, Ind.	Do. ¹
Wells County Electric Co.	Indiana	Do. ¹
Northern Indiana Public Service Co.—Calumet Gas & Electric Co.	Gary, Ind.	February. ¹
Holley Electric Co. (L. D.)	South Milford, Ind.	Do.
Northern Indiana Gas & Electric Co.	Hammond, Ind.	June.
Mid-State Utilities Co.: English Milling Co.	English, Ind.	October. ¹
Georgetown Electric L. & P. Co.	Georgetown, Ind.	Do. ¹
Leavenworth Electric Light Co.	Leavenworth, Ind.	Do. ¹
Marengo Milling Co.	Marengo, Ind.	Do. ¹
Palmyra Light & Power Co.	Palmyra, Ind.	Do. ¹
Pekin Light Co.	Pekin, Ind.	Do. ¹
Municipal plant.	Birdseye, Ind.	Do. ¹
Midwestern Power Co. (Casper, Wyo., and Salt Lake City, Utah):		
Midwest Public Service Co. (Casper, Wyo., and Salt Lake City, Utah) (sold to H. M. Byllesby & Co., to be operated as part of Casper, Wyo., division of Mountain States Power Co., a subsidiary of Standard Gas & Electric Co.):		
Big Horn Light & Power Co.	Worland, Wyo.	January. ¹
Big Horn Utilities Co.	Greybull, Wyo.	Do. ¹
Forsyth Light & Power Co.	Forsyth, Mont.	Do. ¹
Hudson Light & Power Co.	Hudson, Wyo.	Do. ¹
Lovell Gas & Electric Co.	Lovell, Wyo.—northern end of Big Horn Basin; 37 miles from Greybull.	May. ¹
Newcastle Light & Power Co.	Newcastle, Wyo.—45 miles from Edgemont, S. Dak.	Do. ¹
Platte Valley Power Co.	Yoder, Wyo.	January. ¹
Pope Agie Light & Power Co.	Riverton, Wyo.	Do. ¹
Western Utilities Co.	Edgemont, S. Dak.	Do. ¹
Minnesota Northern Power Co. (Minneapolis, Minn.):		
Montana-Dakota Power Co. (Williston, N. Dak.):		
Eastern Montana Light & Power Co.	Eastern Montana and western North Dakota.	Do. ¹
Jennison Light & Power Co.	Glendive, Mont.	Do. ¹
Listerud Power Co.	Fairview, Mont.	Do. ¹
Medicine Lake Electric Utilities Co.	Wolf Point, Mont.	Do. ¹
Montana Utilities Co.	Medicine Lake, Mont.	November. ¹
Municipal light system.	Watford, N. Dak.	January. ¹
Plentywood Electric Co.	White Earth, N. Dak.	Do.
Ray Electric Co.	Plentywood, Mont.	January. ¹
Scobey Utilities Co. (Inc.)	Ray, N. Dak.	Do. ¹
Stanley Public Utility Co.	Scobey, Mont.	Do. ¹
United Power Co.	Stanley, N. Dak.	Do. ¹
Williston Light, Heat & Power Co.	Crosby, N. Dak.	Do. ¹
Missouri Edison Co. (Louisiana, Mo.):	Williston, N. Dak.	Do. ¹
Municipal plant.	Elsberry, Mo.	April. ¹
Missouri Electric Co.: Municipal system and plant.	Fredericktown, Mo.	July. ¹
Mohawk Hudson Power Corporation (Albany, N. Y.):		
(See also Adirondack Power & Light Corporation; Fulton County Gas & Electric Co.):		
Eastern New York Utilities Corporation.	Rensselaer, N. Y.	Do. ¹
Blue Hill Light & Power Corporation.	Livingston, N. Y.	Do. ¹
Mexico Electric Co.	Mexico, N. Y.	August. ¹
Mohawk Valley Securities Corporation.		Do. ¹
Seneeca River Power Co.	Baldwinsville, N. Y.	Do. ¹
Syracuse Lighting Co.	Syracuse, N. Y.	Do. ¹
Troy Gas Co. (electric department).	Troy, N. Y.	October. ¹
Utica Gas & Electric Co. (Utica, N. Y.):		
Central New York Power Co.	Canastota, N. Y.	November. ¹
Newport Electric Light & Power Co.	Newport, N. Y.	Do. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Montana Power Co. (Butte, Mont.): Municipal power plant.	Glasgow, Mont.	September. ¹
Montreal Light, Heat & Power Consolidated: Quebec-New England Hydro-Electric Corporation.	Montreal, Quebec, Canada.	May. ¹
Monument Hill Electric Co.: Hot Springs Light & Power Co.	Thermopolis, Wyo.	March. ¹
Moravia Electric Light, Heat & Power Co.: Berholme Power Co.	Holmesville, N. Y.	December. ¹
Delancey Electric Light Co.	Hamden, N. Y.	Do. ¹
Hamden Electric Light Co.	Guadalajara, Mexico.	February. ¹
Morrison-McCall Interests (St. Louis, Mo.): Compania Electrica del Chapala.	Ashley, Ohio.	July. ¹
Morrow Public Service Co. (Cardington, Ohio): Ashley Electric Light, Heat & Power Co.	Gray, Kutzer, Springdale, and Valley, Wash.	March. ¹
Mount Spokane Power Co. (Deer Park, Wash.): Kutzer electric system.	South of Yuma, Ariz.	October. ¹
Nevada-California Electric Corporation: Yuma Utilities Co.	Shediac, N. B.	September. ¹
New Brunswick Electric Power Commission (Musquash, N. B., Canada): Municipal plant.	do.	Do.
Shediac Electric Light & Power Co.	Providence, R. I.	October. ¹
New England Power Association: Narragansett Electric Lighting Co.	Bellevue Falls, Vt.	January. ¹
New England Co.	Brattleboro, Vt.	Do.
Bellevue Falls Power Co. of New Hampshire.	Bellevue Falls, Vt.	Do.
Fall Mountain Electric Co.	Lebanon, N. H.	Do.
Grafton County Electric Light & Power Co.	Worcester, Mass.	Do.
New England Power Co.	Pawtucket, R. I.	Do.
Rhode Island Power Transmission Co.	Bradford, N. H.	June. ¹
New Hampshire Power Co. (Newport, N. H.): Bradford Light & Power Co.	Bristol, N. H.	Do. ¹
Bristol Electric Light Co.	Pittsfield, N. H.	Do. ¹
Pittsfield Light & Power Co.	Santa Fe, N. Mex.	July. ¹
New Mexico Power Co. (subsidiary of Federal Light & Traction Co.): Santa Fe Wat. & Light Co.	Iron Mountain, Mich.	February. ¹
North American Co.: North American Edison Co.—(See also Cleveland Electric Illuminating Co. and Great Western Power Co. of California).	Milwaukee, Wis. (downtown district).	September. ¹
Iron Mountain Electric Light & Power Co.	Niagara, Wis.	February. ¹
Milwaukee Electric Railway & Light Co.—Wells Power Co.	Willmot, Wis.	August. ¹
Niagara Light & Power Co.	Fort Atkinson, Wis.	November. ¹
Wisconsin Gas & Electric Co. (Racine, Wis.): Carey Electric Light & Milling Co.	Herman, Hubbard, and Rubicon, Wis.	Do. ¹
Municipal Water & Light Plant.	Waushara, Waupaca, and Winnebago Counties, Wis.	Do. ¹
Woodland Light & Power Co.		September. ¹
Wisconsin Traction, Light & Power Co. (Appleton, Wis.): Wisconsin Northern Light, Heat & Power Co.	Alpha, Mich.	June. ¹
North American Light & Power Co. (1/4 interest) (see also Middle West Utilities Co.).	Amasa, Mich.	Do. ¹
Peninsular Power Co.—Alpha Lighting Co.	Aurora, Wis.	Do. ¹
Amasa Lighting Co.	Between Crystal Falls and Channing, Mich.	Do. ¹
Aurora Electric Light & Power Co.	Loretto, Mich.	Do. ¹
Dickinson County Public Service Co.	Powers, Mich.	Do. ¹
Loretto Light & Power Co.	East St. Louis, Ill.	February. ¹
Powers-Spaulding Light & Power Co.	St. Louis, Mo.	July. ¹
Union Electric Light & Power Co. of Illinois.	Alton, Ill.	Do. ¹
Union Electric Light & Power Co.	do.	Do. ¹
Alton Light & Power Co.	Dallas City, Ill.	February. ¹
Alton Gas & Electric Co. (light and power properties only).	Fort Madison, Iowa.	Do.
Central Mississippi Valley Electric Properties:	Keokuk, Iowa.	Do.
Dallas City Light Co.	Middle West Utilities Co. and North American Co., each own one-third interest in the common stock.	September. ¹
Fort Madison Electric Co.		
Keokuk Electric Co.		
North American Light & Power Co. (Delaware) (see also Illinois Power & Light Corporation):		
North American Light & Power Co. (Maine)—United Power & Light Corporation (Abilene, Kans.) (subsidiary of Illinois Power & Light Corporation through Kansas Power & Light Co.): Municipal distribution system.	Hillsboro, Kans.	August. ¹
Smith Center Light Plant (sold to Kansas Power Co., Concordia, Kans.).	Smith Center, Kans.	April.
West Missouri Power Co.	Pleasant Hill, Mo.	January. ¹
Northeastern Power Corporation:	Rensselaer, N. Y.	February. ¹
Eastern New York Utilities Corporation.		June.
New England Power Association (236,191 shares common stock).		

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Northeastern Power Corp.—Con. Oswego River Power Corporation.	Oswego, N. Y.	June. ¹
Power Corporation of New York.	Watertown, N. Y.	January.
People's Gas & Electric Co.	Oswego, N. Y.	March. ¹
Northern Connecticut Power Co. (Hartford, Conn.) (all subsidiaries of J. G. White & Co.): Connecticut River Power Co.	Brattleboro, Vt.	Do. ¹
Northern Connecticut Light & Power Co.	Thompsonville, Conn.	Do. ¹
Northern Connecticut Power Co.	Connecticut.	Do. ¹
Somers Electric Co.	Somers, Conn.	Do. ¹
Stafford Springs Aqueduct Co.	Stafford Springs, Conn.	Do. ¹
Thompsonville Water Co.	Thompsonville, Conn.	Do. ¹
Northern Ohio Power Co.: Northern Ohio Power & Light Co.—Northern Ohio Traction & Light Co.	Akron, Ohio.	Do. ¹
Northern Power & Light Co. (Moberly, S. Dak.): Farmers Cooperative Milling Co.	Bowdle, S. Dak.	September.
Municipal light and power plant.	McIntosh, S. Dak.	November.
Municipal electric light system.	Roscoe, S. Dak.	January.
Northwestern Illinois Utilities Co. (Savanna, Ill.): Mount Carroll Electric Light Co.	Mount Carroll, Ill.	March. ¹
People's Gas & Electric Co.	Savanna, Ill.	January. ¹
Northwestern Light & Power Co. (Cedar Rapids, Iowa): Citizens Electric Co.	Albert City, Iowa.	September.
Durst Power Co.	Danbury, Iowa.	January.
Western Iowa Power Co.	Peterson, Iowa.	April.
Orange & Rockland Electric Co. (Monroe, N. Y.): Central Hudson Gas & Electric Co. (electric service in Blooming Grove only).	Blooming Grove, N. Y.	October. ¹
Tuxedo Electric Light Co.	Tuxedo, N. Y.	January. ¹
Otter Tail Power Co. (Delaware): Otter Tail Power Co. (Minnesota)—Electric light plants.	Adams and Ardoch, N. Dak.	March. ¹
Finlay Light & Power Co.	Finlay, N. Dak.	January. ¹
Fordville Garage & Light Plant.	Fordville, N. Dak.	March. ¹
James Lang Electric Light & Power House.	Cavalier, N. Dak.	September.
Langdon Light Co.	Langdon, N. Dak.	Do.
Maegell Bros.	Hoople, N. Dak.	Do.
Minto Electric Light Plant.	Minto, N. Dak.	March. ¹
Municipal electric light plant.	Lankin, N. Dak.	Do. ¹
Oriska Distribution System.	Oriska, N. Dak.	September. ¹
Paxman, G. L. Electric Property.	Hamilton, N. Dak.	June. ¹
Walhalla Electric Power Plant.	Walhalla, N. Dak.	March. ¹
Pacific Gas & Electric Co.: Bell Electric Co.	Auburn, Calif.	August. ¹
California Telephone & Light Co. (Pacific Gas & Electric Co.): Lake County Water & Power Co.	Kelseyville, Calif.	October. ¹
Middle Yuba Hydro-Electric Co.	Alleghany and Pike City, Calif.	January. ¹
Pea River Power Co., River Falls Power Co. (jointly): Opp Light & Power Co.	Opp, Ala.	March. ¹
Pennsylvania-Ohio Power & Light Co. (Youngstown, Ohio) (subsidiary of Republic Ry. & Light Co., through Penn-Ohio Edison Co.): East Ohio Power & Light Co.	Lectonia and Lisbon, Ohio.	June. ¹
Pennsylvania-Ohio Power & Light Co. (all electric light and power properties in Ohio formerly operated by Pennsylvania-Ohio Electric Co.).	Youngstown, Ohio.	Do. ¹
Peters, Geo. T. (Columbus, N. Mex.): Columbus Ice & Electric Co.	Columbus, N. Mex.	September.
Portland Electric Power Co. (Oregon): Puget Sound Power & Light Co.	Eastern division supplying Hillsboro, Beaverton, Orenco, Cornelius, Dilley, and Gaston, Oreg.	January. ¹
Potomac Valley Power Corporation (Petersburg, W. Va.): Romney Electric Co.	Romney, W. Va.	October.
Quebec Southern Power Co.: Laurentian Hydro-Electric Co., municipal plant.	St. Jerome, Quebec.	April. ¹
Rainy River Improvement Co.: Ranier Electric Plant.	Ranier, Minn.	September. ¹
Ralston, Stuart; purchased W. C. Sparks's interest in: Roscoe Electric Co.	Roscoe, Ill.	February. ¹
Cherry Valley Light & Power Co.	Cherry Valley, Ill.	July. ¹
Drager Electric Co.	Winnebago, Ill.	Do. ¹
Rochester Gas & Electric Corporation (N. Y.) (subsidiary of Mohawk Valley Co.): Adams Basin Electric Light & Power Co. (Inc.).	Adams Basin, N. Y.	August. ¹
Rockland Light & Power Co. (under management of Charles H. Tenney & Co.): American Silk Label Mfg. Co.	Unionville and Minisink, N. Y.	July.
Unionville Electric Light Plant.	Unionville, N. Y.	August.
Catskill Power Corporation.	Middletown, N. Y.	February. ¹
Orange County Public Service Co.	do.	Do. ¹
Rockland Light & Power Co.	Nyack, N. Y.	May. ¹
Rockport Water Works Co. (Rockport, Ind.): Dale Light & Power Co.	Dale, Ind.	September.
Rust, Herbert B. (Meredith, N. H.): Warren Light & Power Co.	Warren and Wentworth, N. H.	October. ¹
Ryan, F. R.: North Branch Electric Works (R. G. Green).	North Branch, Mich.	Do. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
St. Lawrence County Utilities (Inc.) (Potsdam, N. Y.): Brier Hill Electric Light & Power Co. DeKalb Electric Light Plant. Gregory Electric Co. Rensselaer Falls Electric Light & Power Co. Shawinigan Water & Power Co., 20 per cent, Aluminum Corporation of America, 33 1/4 per cent, Duke-Price Power Co., 26 1/2 per cent. Shenandoah River Power Co. (Weyers Cave, Va.): North River Electric Co. Valley Power Co. Simpson Logging Co. (Shelton, Wash.): Reed Mill Co. Solar Electric Co. (Brookville, Pa.): Municipal electric system. Southeastern Power & Light Co.	Brier Hill, N. Y. DeKalb, N. Y. Morristown, N. Y. Rensselaer, N. Y. Lake St. John and Grand Discharge on Saguenay River, Quebec. Bridgewater, Va. Gröve Hill, Va. Shelton, Wash. Brookville, Pa. Virtually all of Alabama, eastern half of Mississippi, northwestern Florida, and northern half of Georgia. Athens, Ga. Macon, Ga. Chipley, Fla. Millville, Fla. Pensacola, Fla. St. Andrews, Fla. Atlanta, Ga. Northern Georgia. Ozark, Ala. Slocumb, Ala. Dublin, Ga. Milledgeville, Ga. Leesburg, Fla. Rome, Ga. Charleston, S. C. Pikeville, Tenn. Fayetteville, Tenn. Lynchburg, Tenn. Pikeville, Tenn. Waldron, Mich. Harvard, Nebr. Athens, Ohio. Rock Hill, S. C. Connelly Springs, N. C. Kernersville, N. C. Elkin, N. C. Mount Airy, N. C. San Francisco, Calif. 12 communities in Wyoming, southeastern Montana and southwestern South Dakota. Belview, Minn. Blunt, S. Dak. Jim Falls plant on Chippewa River (western Wisconsin). Hutton, N. Dak. Greenwood, Wis. Loyal and Westby, Wis. Leola, S. Dak. St. Paul, Minn. Ardmore, Okla. Chandler, Okla. Helena, Okla. Marietta, Okla. McLoud, Okla. Helena, Okla.	June. ¹ August. ¹ January. ¹ January. ¹ May. ¹ February. ¹ January. ¹ July. November. Do. ¹ June. ¹ May. Do. Do. Do. Do. June. March. May. September. June. ¹ Do. ¹ November. April. June. ¹ September. ¹ Do. ¹ Do. ¹ November. ¹ April. ¹ February. ¹ September. ¹ March. ¹ January. May. ¹ September. Do. February. July. ¹ July. April. ¹ February. ¹ November. ¹ Do. ¹ Do. ¹ February. ¹ November. ¹ Do. ¹ Do. ¹ February. ¹ November. ¹ Do. ¹ Do. ¹ August. ¹ January. ¹ May. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
Standard Gas & Electric Co.—Con. Southern Colorado Power Co. (Pueblo, Colo.): Arkansas Valley Electric Co. United Railways Investment Co. Philadelphia Co. Pittsburgh Utilities Corporation Duquesne Light Co. Equitable Co. Pittsburgh Railways Co. Wisconsin Public Service Corporation (Green Bay, Wis.): Denmark Light & Power Co. Northeastern Power Co. Northern Heat, Light & Power Co. Wabeno Lighting Co. Stone & Webster (Inc.): (See also Engineers Public Service Co., Galveston Electric Co.). Municipal plant. Puget Sound Power & Light Co. (Seattle, Wash.): Avery Public Utilities Co. Lake Rutledge Electric Light Co. Municipal Light & Power System. North Pacific Public Service Co. Northwestern Power Manufacturing Co. People's Utility Co. Sequin Light & Power Co. (two power sites on). Sultan Electric Co. South Georgia Power Co. (Albany, Ga.) (Subsidiary of Columbus Electric & Power Co.). Georgia-Alabama Power Co. South Georgia Public Service Co. Municipal distribution system. Municipal water and light plant. White Water Power Co. Western Public Service Co. (Denver Colo.) (subsidiary of Engineers' Public Service Co. through Eastern Texas Electric Co.). Madisonville Light & Power Co. Suburban Light & Power Co. (Columbus, Ohio): General Light & Power Co. Suburban Public Service Co. Suburban Power Co. (Columbus, Ohio): Big Walnut Electric Co. Bloomville Electric Co. Commonwealth Power Co. Dresden Illuminating Co. Evans Light & Power Co. Hancock Light & Power Co. McComb Light & Power Service Co. Midwest Power Co. Payne Light & Power Service Co. Van Lue Electric Light Co. Swenson, W. G. (Abilene, Tex.): Citizens' Light & Power Co. Teton Valley Power & Milling Co. (Diggs, Idaho): Municipal lighting system. Texas-Louisiana Power Co. (Fort Worth, Tex.): Central Texas Power & Transmission Co. Continental Gas, Light & Power Co. Gatesville Light & Power Co. Farmersville Mill & Light Co. Howard Broadhead Co. Lordsburg Power Co. Pecos Light & Ice Co. St. Jo Light & Power Co. Southwestern Gas, Light & Power Co. Newcastle Light, Power & Ice Co. Olney Light & Power Co. Texas Utilities Co. (Plainview, Tex.) (subsidiary of Community Power & Light Co.): Lamb County Utilities Co. Muleshoe Plant. Union Edison Co. (Chicago, Ill.): Blasdel & Braly Light & Power Co. Bloomfield Utilities. Lebanon Junction Light & Power Co. Ohio Valley Public Service Co. Ozark Public Service Co. Panhandle Public Service Co. Salem Light & Power Co. Steelville Electric Light & Power Co. Taylorville Electric Co. Tucumcari Light & Power Co. Union Gas & Electric Co. (Cincinnati, Ohio): Municipal plant.	Florence, Coal Creek, Rockville, and Williamsburg, Ark. Pittsburgh, Pa. do. do. do. do. do. do. Denmark, Wis. Water power construction. 5 villages in Wisconsin. Wabeno, Wis. Sidney, Nebr. Avery, Wash. Long Lake and Hicks Lake districts near Olympia, Wash. Oakville, Wash. Bremerton, Wash. Washington. Rochester, Wash. Dungeness River, Wash. Sultan, Wash. Albany, Ga. do. Dawson, Ga. Reynolds, Ga. Montezuma, Ga. Madisonville, Tex. Columbus, Ohio. do. Sunbury, Ohio. Bloomville, Ohio. Gambier, Danville, Buckeye City, and North Canton, Ohio. Dresden, Ohio. Frazeeburg, Ohio. Jenera and Denton Ridge, Ohio. McComb, Ohio. Utica, Ohio. Payne, Ohio. Van Lue, Ohio. Fredericksburg, Tex. Victor, Idaho. Hico, Tex. Fort Worth, Tex. Gatesville, Tex. Farmersville, Tex. Whitewright, Tex. Lordsburg, N. Mex. Pecos, Tex. Fort Worth, Tex. St. Jo, Tex. Newcastle, Tex. Olney, Tex. Sudan, Tex. Texas. Buffalo, Okla. Bloomfield, Ky. Lebanon Junction, Ky. Rolla, Mo. do. do. do. Salem, Mo. Steelville, Mo. Taylorville, Ky. Tucumcari, N. Mex. Oxford, Ohio.	June. ¹ April. ¹ Do. ¹ Do. ¹ Do. ¹ Do. ¹ Do. ¹ January. ¹ Do. ¹ Do. ¹ Do. ¹ July. ¹ March. ¹ May. ¹ March. ¹ January. March. ¹ June. ¹ January. ¹ Do. ¹ April. ¹ August. ¹ July. January. ¹ do. do. Do. ¹ Do. ¹ Do. ¹ Do. ¹ March. ¹ November. April. January. June. ¹ April. ¹ January. Do. Do. Do. Do. Do. Do. February. ¹ Do. ¹ March. June. ¹ Do. ¹ March. Do. Do. June. ¹ March. January. ¹

¹ Date reported in Electrical World.

Utility mergers and purchases in 1926—Continued

Companies involved	Territory served	Date of merger
United Gas Improvement Co. (Philadelphia, Pa.): (See also Central Iowa Power & Light Co., Connecticut Light & Power Co., Iowa Light, Heat & Power Co.)		
Connecticut Electric Service Co.	Hartford, Conn.	November.
Bristol & Plainville Electric Co.	Bristol, Conn.	Do.
Connecticut Light & Power Co.	Waterbury, Conn.	Do.
Eastern Connecticut Power Co.	Norwich, Conn.	Do.
Baltic Mills Co.	Baltic Mills, Conn.	September.
Meriden Electric Light Co.	Meriden, Conn.	November.
New Milford Electric Light Co.	New Milford, Conn.	Do.
Westport Electric Co.	Westport, Conn.	Do.
Woodbury Electric Co.	Woodbury, Conn.	Do.
George Electric Light & Power Co.	George, Iowa	Do. ¹
United Light & Power Co. (The): (See also Columbus Railway Power & Light Co.; Iowa Railway & Light Co.; Kansas City Power & Light Co.)		
Lincoln Public Service Co.	Lincoln, Nebr.	March. ¹
Lincoln Gas & Electric Co.	do.	Do. ¹
Lincoln Traction Co. (electric light and power and central station heating business).	do.	Do. ¹
United Light & Railways Co.: Nebraska Gas & Electric Co. (Lincoln, Nebr.) (subsidiary of Continental Gas & Electric Corporation)— Beemer Mills & Light Plant Blue River Power Co. Kotes (J. U.) & Placek (F. A.) Lighting Plant.	Beemer, Nebr. Seward, Nebr. Milligan, Nebr.	May. Do. ¹ August. ¹
United Ohio Utilities Co.— Ohio Utilities Co. Southern Ohio Electric Co. Athens Electric Co.	Columbus, Ohio. Nelsonville, Ohio. Athens, Ohio.	July. ¹ Do. September.
Utilities Power & Light Corporation (Chicago, Ill.): (See also Derby Gas & Electric Corporation; Eastern New Jersey Power Co.)		
Citizens' Utilities, (Inc.): Derby Gas & Electric Co.	Derby, Conn.	June. ¹
Indianapolis Power & Light Corporation.	Indianapolis, Ind.	May. ¹
Indianapolis Light & Heat Co.	do.	Do.
Interstate Power Co. (Chicago, Ill.): Minnesota Electric Distributing Co.	Minneapolis, Minn.	Do.
Minnesota Electric Light & Power Co.	Bemidji, Minn.	January. ¹
Red River Valley Power Co.	Cookston, Minn.	Do. ¹
Cass Water, Light & Power Co.	Cass Lake, Minn.	August.
Minnesota Electric Light & Power Co. (Minneapolis, Minn.)— Red River Power Co. (Grand Forks, N. Dak.)— Electric Construction Co.	Buxton, Reynolds, and Thompson, N. Dak. Grand Forks, N. Dak. St. Ansgar, Iowa Soldiers Grove, Wis.	May. ¹ November. December. ¹ Do. ¹
Municipal electric light plant. St. Ansgar Light & Power Co. Soldiers' Grove Electric Light Co. Tri-State Utilities Co. (Minneapolis, Minn.)— Ainsworth Light & Power Co. Brunswick Electric Co. Mahood Bros. Osmond Electric Light Co.	Ainsworth, Nebr. Brunswick, Nebr. Orchard, Nebr. Osmond, Nebr. Erskine, Minn. Oklee, Minn. Middle River, Mo. Plummer, Mo.	September. Do. August. February. ¹ October. ¹ Do. ¹ November. ¹ Do. ¹
Municipal electric light plants.	Bullochville, Ga.	September.
Warm Springs Electric Light Co. (Warm Springs, Ga.): Bullochville Electric Co.		
Wateree Power Co.: Spencer Mountain mills.	Lowell, N. C.	March.
Westerlo Electric Service (Inc.): Upper Hudson Electric & Railroad Co.	Catskill, N. Y.	December. ¹
Wisconsin Valley Electric Co. (Wausau, Wis.): Antigo Electric Co. Rhineland Light & Power Co. Wooster Electric Co. (Wooster, Ohio): Inter-Urban Electric Co.	Antigo, Wis. Rhineland, Wis. Mount Eaton, Ohio.	January. ¹ Do. ¹ September.

¹ Date reported in Electrical World.

BUREAUS OF CUSTOMS AND PROHIBITION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10729) to create a bureau of customs and a bureau of prohibition in the Department of the Treasury.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Secretary will state the amendments of the committee.

Mr. SMOOT obtained the floor.

Mr. BRUCE. Mr. President, I suppose I can take my hour at any time in the progress of this bill until a vote is taken.

Mr. SMOOT. I prefer to have the Senator go on now, if he is ready to do so.

Mr. BRUCE. Like other selfish individuals, I was rather disposed to exercise my own preference.

Mr. SMOOT. The Senator can do that, of course. I thought he was about to state that he preferred to speak now, before the amendments were offered. I care not at which time the Senator speaks.

Mr. BRUCE. I simply want to say to the Senator from Utah that, of course, as far as these first amendments are concerned I have no objection to them. It is only when section 5 is reached, to which my amendment is applicable, that I become interested; so I thought the committee might go along with its amendments, and then I would say what I have to say later, under section 5.

Mr. SMOOT. I shall be glad to have that done. If that is agreeable to the Senator, then I will proceed.

Mr. BRUCE. Yes.

Mr. SMOOT. Mr. President, I send to the desk an amendment which I ask to have stated.

Mr. BRUCE. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Lenroot	Robinson, Ind.
Bayard	Frazier	McKellar	Sackett
Bingham	Gerry	McLean	Sheppard
Blease	Goff	McMaster	Shipstead
Borah	Gooding	McNary	Shortridge
Bratton	Gould	Mayfield	Simmons
Broussard	Greene	Means	Smith
Bruce	Hale	Metcalf	Smoot
Cameron	Harrell	Moses	Steck
Capper	Harris	Neely	Stephens
Caraway	Harrison	Norris	Stewart
Copeland	Hawes	Nye	Swanson
Couzens	Heflin	Oddie	Trammell
Curtis	Howell	Overman	Tyson
Dale	Johnson	Pepper	Wadsworth
Deneen	Jones, N. Mex.	Phipps	Walsh, Mass.
Dill	Jones, Wash.	Pine	Walsh, Mont.
Edwards	Kendrick	Pittman	Watson
Ernst	Keyes	Ransdell	Wheeler
Ferris	King	Reed, Pa.	Willis
Fess	La Follette	Robinson, Ark.	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, there is a quorum present.

The amendment offered by the Senator from Utah [Mr. SMOOT] will be stated.

The CHIEF CLERK. On page 2, line 3, after the comma and the word "Treasury," insert the words "without regard to the civil service law."

Mr. NORRIS. Mr. President, I would like to ask the Senator from Utah a question. The effect of that will be to take this entire bureau out from under the civil service law, will it not?

Mr. SMOOT. Oh, no; just the two commissioners, and under section 2 all the other offices will be under civil service.

Mr. NORRIS. The language the Senator is now attempting to have inserted applies only to the commissioners?

Mr. SMOOT. Let me read the section.

Mr. NORRIS. Very well; I wish the Senator would.

Mr. SMOOT. Section 1 provides in part:

The commissioner of customs shall be at the head of the bureau of customs, and the commissioner of prohibition shall be at the head of the bureau of prohibition. The commissioner of customs and the commissioner of prohibition and shall be appointed by the Secretary of the Treasury, and each shall receive a salary at the rate of \$8,000 per annum.

Mr. ROBINSON of Arkansas. Where is the Senator reading?

Mr. SMOOT. On page 2. The amendment begins after the word "Treasury," on line 3, so that it will read as amended:

The commissioner of customs and the commissioner of prohibition shall be appointed by the Secretary of the Treasury, without regard to the civil service law, and each shall receive a salary at the rate of \$8,000 per annum.

I will say to the Senator that if that is agreed to, section 2 will be changed entirely, so that there will be no question as to the others being under the civil service.

Mr. ROBINSON of Arkansas. What were the considerations which prompted the representatives of the department in changing their policy with respect to this subject and asking that these officers be appointed without regard to the civil service?

Mr. SMOOT. The original bill did not provide that the commissioners should be so appointed, but we thought those words at this time would make the matter very much simpler than the complicated amendment which was offered by the Senator from Maryland [Mr. BRUCE] and adopted, and which the Senator from Maryland now says he desires to have disagreed to.

Mr. ROBINSON of Arkansas. The Senator refers to the original bill not providing for the selection of the commissioners

without regard to the civil service. What does he mean by the "original bill"?

Mr. SMOOT. I refer to the bill as it came from the House, which provided as follows:

The Secretary of the Treasury is authorized to appoint, in each of the bureaus established in section 1, one assistant commissioner, two deputy commissioners, one chief clerk, and such attorneys and other officers and employees as he may deem necessary.

That is as the bill came from the House. Now we propose to amend that by providing that all employees shall be under the civil service with the exception of the commissioners. None of the commissioners in the Government service are under civil service. The Commissioner of Indian Affairs is not under civil service, and the Commissioner of Pensions is not under civil service, and this would simply carry out the policy of the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I send to the desk another amendment.

The PRESIDING OFFICER. The clerk will report.

The CHIEF CLERK. On page 2, beginning with line 5, strike out subdivision (a) of section 2 as amended, and insert in lieu thereof the following:

SEC. 2. (a) The Secretary of the Treasury is authorized to appoint, in each of the bureaus established by section 1, one assistant commissioner, two deputy commissioners, one chief clerk, and such attorneys and other officers and employees as he may deem necessary. One of prohibition, and to confer or impose upon the Commissioner of In-charge of investigations. Appointments under this subdivision shall be subject to the provisions of the civil service laws, and the salaries shall be fixed in accordance with the classification act of 1923.

Mr. BLEASE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Carolina?

Mr. SMOOT. I yield.

Mr. BLEASE. I move to strike out the words "civil service" in that amendment. The men whom the Secretary of the Treasury shall appoint certainly should have some say as to those who are to serve with them. If a man is to be held responsible for the work of somebody who is working under him, he certainly should have some say as to who that man shall be. If the Secretary of the Treasury is to appoint these men, we certainly must conclude that he is going to consult the chiefs before he appoints the assistants. I do not think he should be confined to those taking a civil-service examination.

I understand very thoroughly that civil service does not amount to anything. I know all about the civil-service business down in my own State. The Republican Party pays about as much attention to it in the appointment of postmasters in South Carolina as a blind mule would pay to a blind bridle. They just simply appoint whom they please, and I do not see any use putting this language in and making them violate the law. Let us leave it to the discretion of the Secretary of the Treasury, so that he may make such appointments as he thinks will be for the good of the service in the administration of the law.

Mr. SMOOT. I call attention to the fact that the amendment to the amendment offered now was not offered before the cloture motion was put.

Mr. NORRIS. I would like to make a parliamentary inquiry. The PRESIDING OFFICER. The Senator will state it.

Mr. NORRIS. Is it in order now to offer an amendment?

Mr. SMOOT. I was just making that point.

The PRESIDING OFFICER. The Chair understood that the Senator from South Carolina was offering his amendment to the amendment offered by the Senator from Utah.

Mr. SMOOT. Is that in order?

Mr. NORRIS. Has the Senator's amendment been placed on file?

The PRESIDING OFFICER. The Chair is of opinion that the amendment to the amendment would not be in order.

Mr. COPELAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COPELAND. What is the situation now? Are we permitted to debate these amendments?

The PRESIDING OFFICER. The bill is as in Committee of the Whole and open to amendment. The Senator from Utah has proposed an amendment.

Mr. REED of Pennsylvania. A parliamentary inquiry. Does the Chair rule that the amendment offered by the Senator from South Carolina to the amendment of the Senator from Utah is not in order?

The PRESIDING OFFICER. The Chair so holds, in view of the provision of Rule XXII.

Mr. BLEASE. Then I ask what right the chairman of the committee has to offer an amendment?

Mr. SMOOT. They are all printed.

The PRESIDING OFFICER. The Chair will advise the Senator from South Carolina that the amendments which the Senator from Utah is now calling up were offered before the cloture order went into effect.

Mr. REED of Pennsylvania. Mr. President—

The PRESIDING OFFICER. Let the Chair make his statement. Rule XXII, in the last paragraph, provides as follows:

Thereafter—

That is, after the cloture motion has been adopted—

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close unless the same has been presented and read prior to that time.

In view of that provision of the rule the Chair is constrained to hold that the amendment offered by the Senator from South Carolina to the amendment of the Senator from Utah would not be in order.

Mr. COPELAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his further parliamentary inquiry.

Mr. COPELAND. Is all the time consumed while the Senator from Utah holds the floor taken out of his time?

The PRESIDING OFFICER. The Chair will advise the Senator that the time of each Senator is being kept at the desk.

Mr. REED of Pennsylvania. Mr. President, I do not like to let go by without challenge the ruling that it is not in order to perfect an amendment which has been previously offered in accordance with the rule.

Mr. NORRIS. Mr. President, if the Senator from Pennsylvania will permit me to interrupt, I submitted that question in the form of a parliamentary inquiry prior to our vote on the preceding cloture motion, and the Vice President held that an amendment to an amendment would not be in order unless it had been filed prior to the vote on cloture.

Mr. REED of Pennsylvania. Then, Mr. President, I think we have set a very dangerous precedent, and I think that in the future when clotures are under consideration it will behoove each of us to scrutinize most carefully all the throng of amendments that are sent to the desk.

Mr. NORRIS. That is absolutely true; but sometimes it will be an impossibility, because they may be offered at the last moment.

Mr. REED of Pennsylvania. And with amendments coming in at the last moment, before 1 o'clock, I give notice now that I probably shall object to their being considered as being read. I do not think it is fair to the Senate to put such amendments in at the last moment, when no one has a chance to consider any amendments perfecting what is being filed.

Mr. BINGHAM. Mr. President, I desire to suggest to the Senator from South Carolina that he ask unanimous consent for the submission of his amendment to the amendment. Under the rule it is provided that an amendment may be offered by unanimous consent.

Mr. BLEASE. Mr. President, I will state that this does not disappoint me at all, because I never have voted and never will vote for any cloture. I come from a section of the Nation that does not believe in cloture, and I do not vote for cloture motions. I hope some people will get mixed up in this thing so much that in the future they will remember that they have been scorched, if not burned.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I send to the desk another amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. BROUSSARD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BROUSSARD. Was this amendment filed before the cloture vote?

Mr. SMOOT. All the amendments I am calling up were offered, I will say to the Senator.

The PRESIDING OFFICER. The amendment was filed and read according to the rule, and the clerk will report the amendment.

The CHIEF CLERK. On page 3, beginning with line 3, strike out through line 10 and insert in lieu thereof the following:

(c) The personnel of the bureau of prohibition shall perform such duties as the Secretary of the Treasury or the commissioner of prohibition may prescribe, and the personnel of the bureau of customs shall perform such duties (other than duties in connection with the administration of the national prohibition act, as amended, or any other law relating to the enforcement of the eighteenth amendment) as the Secretary of the Treasury or the commissioner of customs may prescribe.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I send another amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 3, line 15, after the word "into," insert a comma and the words "or the exportation of merchandise from."

Mr. ROBINSON of Arkansas. Let us have an explanation of that amendment.

Mr. SMOOT. Section 5 (a) provides that—

The Secretary of the Treasury is authorized to confer or impose upon the commissioner of customs or any of the officers of the bureau of customs any of the rights, privileges, powers, or duties, in respect of the importation or entry of merchandise into the United States.

No consideration apparently was given to the idea that he should have power over articles exported from the United States, and that is the only change which is made.

Mr. ROBINSON of Arkansas. What is the change? The statement of the Senator from Utah has not made it clear.

Mr. SMOOT. It is to be amended so that it will read "importation or entry of merchandise into, or the exportation of merchandise from, the United States."

Mr. ROBINSON of Arkansas. Will the Senator tell me why the powers and duties of these officers who are to be appointed are not defined by the bill, why it is left to the Secretary of the Treasury to determine what the officers who are to be appointed shall do?

Mr. SMOOT. They are provided for in the tariff act, but the duty is imposed solely upon the Secretary of the Treasury under that act. Now, of course, we are creating new bureaus, and therefore we give the heads of those bureaus the same power that is given under existing law.

Mr. ROBINSON of Arkansas. No; that is not being done. That is what I direct the Senator's attention to. It reads:

The Secretary of the Treasury is authorized to confer or impose upon the commissioner of customs—

Duties—

in respect of the importation or entry of merchandise.

Why does not the bill that is pending define the duties of these officers, instead of giving the Secretary of the Treasury the power to do it? Who will know, after this measure shall have become a law, what are the duties of the officers who are to be appointed?

Mr. SMOOT. It simply gives authority to the Secretary to confer these powers upon the commissioner of customs. In the past he has been doing it, but this is a bill providing for reorganization, and it would give the Secretary of the Treasury the power to assign the duties to the commissioner.

Mr. ROBINSON of Arkansas. I do not think I have made myself clear to the Senator from Utah. The point I am making is that in the creation of the bureau and of the officers who are to perform the duties of the bureau it would be well to define their powers and their authority rather than to leave it to the Secretary of the Treasury to tell them what they can or can not do. Congress has the power to legislate, and instead of telling the Secretary of the Treasury that he can require this bureau and the officers in it to do whatever he tells them to do, we ought to define their powers and duties.

Mr. SMOOT. If that were to be provided in the bill, before it could be effectuated we would have to amend the tariff act.

Mr. ROBINSON of Arkansas. To amend the tariff act would not, in my judgment, be a criminal thing. That is exactly what the Senator is proposing to do anyway.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Utah offers a further amendment, which the clerk will report.

The CHIEF CLERK. On page 4, strike out lines 12 to 18, both inclusive, and insert in lieu thereof the following:

(b) The Secretary of the Treasury is authorized to confer or impose any of such rights, privileges, powers, and duties upon the commissioner of prohibition, or any of the officers or employees of the bureau of prohibition, and to confer or impose upon the Commissioner of Internal Revenue, or any of the officers or employees of the Bureau of Internal Revenue, any of such rights, privileges, powers, and duties which, in the opinion of the Secretary, may be necessary in connection with internal-revenue taxes.

Mr. ROBINSON of Arkansas. I think we ought to have an explanation of the amendment. It is a most complicated, confusing, and inexplicable provision, I would say from the first reading of it. What is the object of it? What will be its effect? How will the bill read if that language is inserted?

Mr. SMOOT. If the Senator will take the amendment, a copy of which I send to his desk, I will explain it. Under section 4, paragraph (b), the House, as the Senator will note, had a provision authorizing the Secretary of the Treasury to confer or impose any such rights, privileges, powers, or duties upon the Commissioner of Internal Revenue. That paragraph, as passed by the House, reads as follows:

(b) The Secretary of the Treasury is authorized to confer or impose any of such rights, privileges, powers, and duties upon the Commissioner of Internal Revenue, the commissioner of prohibition, or the commissioner of customs, or any of the officers or employees of the Bureau of Internal Revenue, the bureau of prohibition, or the bureau of customs.

The proposed amendment simply means that the Secretary is authorized to confer or impose any such rights upon the commissioner of prohibition, and then limits the duties of the Commissioner of Internal Revenue only to questions arising under his bureau. In other words, the rights can not be delegated back.

Mr. ROBINSON of Arkansas. I would like to have the Senator from Utah state what rights and privileges the Secretary of the Treasury can confer upon the commissioner of prohibition or any officer or employee of the bureau of prohibition if the provision is adopted.

Mr. SMOOT. The Senator will find in subsection 4(a) the rights and privileges. That subsection reads as follows:

SEC. 4. (a) The rights, privileges, powers, and duties conferred or imposed upon the Commissioner of Internal Revenue and his assistants, agents, and inspectors by any law in respect of the taxation, importation, exportation, transportation, manufacture, production, compounding, sale, exchange, dispensing, giving away, possession, or use of beverages, intoxicating liquors, or narcotic drugs, or by the national prohibition act, as amended, or any other law relating to the enforcement of the eighteenth amendment, are hereby transferred to, and conferred and imposed upon, the Secretary of the Treasury.

Those are the rights and privileges and powers.

Mr. BAYARD. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. BAYARD. Does the Senator understand that the bill, as reported and amended under pending amendments, would give the Secretary of the Treasury the right to impose any one of these several duties upon any one of the several new divisional heads?

Mr. SMOOT. No; I do not so understand it. I think the amendment which I have sent to the desk is intended to prevent that, because it limits the power.

Mr. BAYARD. Does the amendment which the Senator has just submitted do away entirely with the present Prohibition Unit and all its employees?

Mr. SMOOT. No; it does not.

Mr. BAYARD. What becomes of all the employees under the present Prohibition Unit?

Mr. SMOOT. They remain as they are.

Mr. BAYARD. Does not the bill make some provision for transferring them to the new bureau?

Mr. SMOOT. If the Senator will read subsection (b), he will find that there is no transfer to take place.

Mr. BAYARD. But is not that transfer permissive? Before the present amendments were introduced the bill was permissive to the extent that the Secretary of the Treasury could have transferred as many employees as he wanted to the new prohibition operation or could leave as many as he wanted in the old prohibition operation. Does the amendment which the Senator now introduces transfer the old prohibition operation in toto to the new prohibition operation or does it leave it discretionary with the Secretary?

Mr. SMOOT. It makes no change at all. It has nothing to do with the personnel.

Mr. BAYARD. In other words, the whole operation is turned over and would come under the amendment now proposed by the Senator?

Mr. SMOOT. Yes.

Mr. COUZENS. Mr. President, I would like to ask if under section 4 all of the powers, duties, and so forth, which are now imposed upon the Commissioner of Internal Revenue are the same as provided in the present law?

Mr. SMOOT. They are exactly the same as in the present law. It is exactly the same wording.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I send to the desk another amendment which I offer.

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. On page 5, line 19, strike out "July 1, 1926," and insert in lieu thereof "April 1, 1927."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. NORRIS. I would like to have the Senator explain the amendment. Why have not these amendments been printed under the rule?

Mr. ROBINSON of Arkansas. I think the amendment is presented because the provision in the bill would make it retroactive to July 1, 1926, and that date, of course, is past. It would be an attempt to make the bill retroactive if some future date were not inserted. The change merely fixes the effective date in the future.

Mr. NORRIS. Since my attention has been called to the place where the amendment is to apply, I see it plainly, but the way I first had it, it did not seem to have any application.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I offer the amendment which I now send to the desk.

The PRESIDING OFFICER. The Senator from Utah offers a further amendment, which will be stated.

The CHIEF CLERK. On page 5, line 3, after the word "appoint," insert the words "in the bureau of prohibition."

The PRESIDING OFFICER (Mr. Fess in the chair). The question is on agreeing to the amendment submitted by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. I now offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The CHIEF CLERK. On page 5, line 11, before the period, insert the following:

Or as soon thereafter as a successor eligible for appointment under the provisions of the civil service laws may be appointed.

Mr. SMOOT. That is to extend the time limit. It may not be possible to hold the examinations provided for within the time limit now fixed by the bill. If the examinations can be held within that time, it is all right, but there was doubt expressed as to whether the examinations could be held within the time limit provided. This provision is necessary and provides that the reappointment or appointment shall be made "as soon thereafter as possible."

Mr. COUZENS. Mr. President, the amendment, if adopted, would leave it open so that until the time the Secretary of the Treasury or the Commissioner of Prohibition gets ready to hold civil-service examinations these employees will be without the civil service law. That is the very thing to which I have objected. That is the very "nigger in the woodpile." The committee are going to leave the matter wide open so that forever and ever these men will be outside of the civil service law.

Mr. SMOOT. I want to say to the Senator that this was suggested by the civil service commissioners. They brought it to our attention that it would be more than likely impossible to hold the examinations within the time limit fixed, and they themselves suggested the amendment.

Mr. COUZENS. Then why not specify the time? If six months are not enough, why not make it nine months or a year? But now it is left entirely to the discretion of some administrative officer. That is the very thing I feared when I asked this morning on the floor of the Senate whether there was any proposal to leave these employees outside of the civil service law. The amendment had not been read to the Senate at that time. It is one of the many amendments which were received and laid on the table without reading. The very thing is secured that I feared would be secured, and that is that these employees will be left out of the civil service.

Mr. WILLIS. Mr. President, let me say to my friend from Michigan that I entertain exactly the same desire that he does with reference to this matter. This amendment was one of those which was printed in the Record at the proper time two or three days ago. The purpose of it is exactly as stated by the Senator from Utah, to cover a situation which would develop if they were not able to hold examinations by the time stated. Just as the Senator from Utah said, this amendment was written at the request, not of the Treasury Department but of the Civil Service Commission. I have their letter among my papers.

Mr. COUZENS. It may be that the Civil Service Commission are in combination with the Anti-Saloon League to keep these people out of the civil service law.

Mr. WILLIS. The Senator is mistaken about that, because the civil service commissioners submitted the amendment. I do not think the Senator is correctly advised as to the attitude of the Anti-Saloon League.

Mr. COUZENS. Probably the Senator from Ohio speaks for them.

Mr. WILLIS. No; I do not. I am speaking so far as I am capable for the State of Ohio. I speak for no organization here or elsewhere. I want to say that this recommendation is made by the Civil Service Commission. What I started to say to the Senator is that the Civil Service Commission is insisting, and properly so, as is the Senator from Michigan, that the field employees shall be under civil service.

Mr. COUZENS. But when?

Mr. WILLIS. As quickly as this examination can be held.

Mr. COUZENS. That is indefinite.

Mr. WILLIS. I do not think so.

Mr. SMOOT. The committee has no objection whatever to leaving it at six months, just as the House fixed it. There was no discussion about it until the civil service commissioners came and said that they did not believe it would be possible that the examination could be held within the six months.

Mr. WILLIS. Why does not the Senator from Utah accept the suggestion now made by the Senator from Michigan that a specific time be inserted?

Mr. COUZENS. It is too late. We can not do that now. The point of order would lie against amending the amendment now.

Mr. HOWELL. We can do it by unanimous consent.

Mr. NORRIS. Mr. President, I agree with the Senator from Michigan fully about the civil service law as it should apply here, but if there is a delay it will not come from the Treasury Department; it will come from the Civil Service Commission.

Mr. SMOOT. If the Senator desires to have the amendment withdrawn, I will withdraw it. I would be willing to do it.

Mr. COUZENS. I hope the Senator will withdraw the amendment so that the commission may be required to hold the examinations within the six months.

Mr. SMOOT. We can take that chance. I will withdraw the amendment which I have just offered.

The PRESIDING OFFICER. The Senator from Utah withdraws the amendment.

Mr. CARAWAY. Mr. President, before the Senator withdraws the amendment I want to say just a few words. It strikes me that all this wrangle about putting these people under civil service is rather an academic controversy, because everybody knows that the civil service as it is now constituted is open to political appointment and political influence. There are certain influences here that speak very often and very feelingly for the civil service, and then get more political appointments under it than under possibly any other branch of the Government.

I have in my hand—and I took the floor just now with the intention of reading it—a letter from a soldier who served overseas, who made the highest grade in an examination for appointment as rural carrier out in a little town in Arkansas. He was not appointed. No one even who lived in that county was appointed.

A Republican politician from another county was appointed, although under the merit system and under the positive law of Congress this man had a right to preferential consideration, but was not given it. He got all of his governmental favors when he wore the uniform of his country and went to war for \$30 a month. Whenever there was a job having no danger in connection with it the civil service and the law of Congress providing that he should have a preferential right by reason of his military service availed him nothing. The appointment went to a politician.

Mr. COUZENS. Does the Senator think the law of Congress is carried out by any administration?

Mr. CARAWAY. Not by the present administration. I did not intend to make any charge like that against the present administration. I have not found anything about it that is persuasive except it is a matter of self-interest.

What I was protesting against was the seeming belief that some people entertain that the civil service is going to keep anybody in office that the administration wants out, or keep anybody out of office that some influences want in. That is what I am protesting against. I have done it before, and I will probably do it again. It sometimes just makes hypocrites out of people. That is what I am saying.

The letter to which I have called attention said:

Last September 11 I took a civil-service examination at Walnut Ridge, Ark., for the position of rural carrier out of Hoxie, route 1. I made an average of 94.87, which was the highest grade made on that test. Also I am the only ex-service man in the high three. Yet a Mr. Jones, from another county—Jackson County—has received the appointment.

Then he wants to know what can be done about it. He had written the American Legion and wanted to know if he had any rights which could be protected. The matter was sent to me, and I am compelled to say that under this administration he has no rights that could be protected, or otherwise. He is nothing but an ex-soldier. He did not happen to have any political influence.

Mr. WILLIS. Mr. President, on February 26 I offered certain amendments to the bill. They will be found on page 4895 of the Record, printed according to the rule. I observe that the Senator from Utah [Mr. Smoot] has already covered the subject of those amendments, so it is not now necessary for me to offer them.

Mr. BINGHAM. Mr. President—

Mr. BRUCE. Will the Senator yield to me just a moment while I call up my amendment? I shall not discuss it. I simply ask that it may be read.

Mr. BINGHAM. I understand that there are some more committee amendments to be offered.

Mr. BRUCE. No; the Senator from Utah tells me that there are no more.

Mr. NORRIS. Mr. President, before we get on another subject, I hope the Senator will let me discuss briefly the point made by the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. BINGHAM. I shall not take very long.

Mr. NORRIS. All right.

Mr. BINGHAM. I promise to let the Senator have some time before 4 o'clock.

Mr. President, I was endeavoring to explain my position with regard to cloture this morning when, due to the fear on the part of certain Senators that I might be starting a filibuster against the bill now before us, a motion to lay my appeal on the table was made and carried.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Arkansas?

Mr. BINGHAM. I yield to my friend.

Mr. ROBINSON of Arkansas. The Senator from Connecticut recalls that the motion to lay the appeal on the table was made by the Senator from Ohio [Mr. Fess], who happens to be in the chair at this time, and will be deprived of the opportunity of replying to the Senator from Connecticut.

Mr. NORRIS. That Senator's occupancy of the chair is not permanent.

Mr. BINGHAM. I desire to state to my friend from Arkansas that it is not my purpose to attack the present occupant of the chair at all, or anyone else.

In order to explain my position I will state that I am in favor of the bill now before us; and provided that one or two of the amendments that have been offered are adopted, I propose to vote for it. Because I was in favor of the bill, Mr. President, and because I did not think I could be accused of filibustering against the bill, I appealed from the decision of the Chair overruling my point of order that this bill could not be laid before the Senate by the Chair under the provisions of Rule XXII. I am glad to notice that the Senator who made the motion to lay my appeal on the table has now left the chair and is in position to interrupt my speech or to answer it, and that the Vice President is now in the chair. I desire to call his attention to what has been going on here in the past few days. Not that I think he needs to have it called to his attention, for I am quite sure that he is perfectly cognizant of it, and has been perfectly legitimately using his position in the chair to do what he said in his inaugural address he could not do, namely, that he could

not change the rules of the Senate. He has been changing the rules of the Senate, as I shall endeavor to show.

In his inaugural address, the Vice President—who, as we all know, is very much in favor of majority cloture, and undoubtedly would favor a motion, such as prevails in the House, for the previous question—called the attention of the Senate to Rule XXII, and said:

What would be the attitude of the American people and of the individual Senators themselves toward a proposed system of rules if this was the first session of the Senate of the United States instead of the first session of the Senate in the Sixty-ninth Congress? What individual Senator would then have the audacity to propose the adoption of the present Rule XXII without modification when it would be pointed out that during the last days of a session the right that is granted every Senator to be heard for one hour after two-thirds of the Senate had agreed to bring a measure to a vote, gave a minority of even one Senator, at times, power to defeat the measure and render impotent the Senate itself? That rule, which at times enables Senators to consume in oratory those last precious minutes of a session needed for momentous decisions, places in the hands of one or of a minority of Senators a greater power than the veto power exercised under the Constitution by the President of the United States.

When I listened to the Vice President making his inaugural address, I thought he was discussing the general rule of senatorial courtesy and of unlimited debate, which had been at times very much discussed by the country, and I did not get the point to the reference to Rule XXII. It appears from a careful reading of his speech that he was protesting against Rule XXII because Rule XXII gave an opportunity to every Senator to debate a measure for an hour even in the closing hours of the session, and it might happen that his hour would occur just before 12 o'clock on the 4th of March, when, by exercising the privilege of speaking for his one hour, he could prevent a measure from being passed.

Mr. President, of course it is not necessary for one of the youngest Members of the Senate to say that he was not here when the rule was adopted.

Mr. ROBINSON of Arkansas. Mr. President, to whom is the Senator now referring?

Mr. BRUCE. To the Senator from Maryland.

Mr. BINGHAM. I am speaking in point of time of service, rather than years of—

Mr. ROBINSON of Arkansas. Accountability.

Mr. BINGHAM. Service.

Mr. President, the Senator from Arkansas was here when the rule was adopted. There are also other Senators present now who were here when the rule was adopted; and I hope that some of them, including my friend the Senator from Nebraska [Mr. Norris], the Senator from Utah [Mr. Smoot], and the Senator from Wyoming [Mr. Warren], will, if occasion arises, discuss what was intended when the rule was adopted. All I can do is to read the Record of that time, in March, 1917, when, Senators will remember, the then President of the United States had referred to a "little group of willful men" who by their belief in the unwisdom of a certain measure were preventing the passage of that measure that he desired very much to have passed, and he recommended that some rule be adopted whereby a dozen or 15 men could not prevent the passage of measures which they did not believe in, provided the majority of the Senate did believe in them.

The subject was discussed at that time by the senior Senator from Nebraska [Mr. Norris], who said—I quote from the Record of March 8, 1917, page 29:

I want to make this assertion, and I believe that upon full investigation it will be found to be justified: If you will take the very day that this bill was brought up before the Senate, the necessary appropriation bills that never had been considered by the Senate—and that does not include the river and harbor bill; I will exclude that, because everybody concedes that that is not necessary to keep the Government going—if you will just take those other appropriation bills that I have mentioned and the conference reports that actually did come in, and that were necessary to come in, and if you will assume that the Secretary of the Senate should work 12 hours a day without stopping, without eating, without drinking—

This was before the adoption of prohibition.

Mr. NORRIS. It was before the Volstead law.

Mr. BINGHAM (reading)—

he could not even have read those bills in the time that was left between the time this bill came up and noon on the 4th day of March. It would have been a physical impossibility. And yet we are called upon to put them through without reading, by unanimous consent, or else we will bring on a special session and not be patriotic!

The Senator will remember his remarks.

A little later in the debate, Mr. President, Senator Hardwick said:

This is a government of checks and balances, and wisely so—so established, so constructed by our fathers; and, for one, I have not progressed far enough away from their ideas to believe that they wrought poorly, or that we can much improve on them, in the fundamentals, at least. I lay down the proposition before this Senate and before the country that to-day the last citadel of opposition to the Executive will and to the establishment of the Executive as an autocratic authority in this country, clothed with despotic powers, is here in this Chamber and on this floor; and I say to the Senate and to the country: If you chain this Senate, if you bind it, if you put it in the power of a partisan majority at any instant, at any moment, or on any question, to run roughshod over the minority for the time being, and deny to Senators the right to speak on this floor, and deny real debate in this Chamber, you will have destroyed one of the most valuable checks and balances in our Government, and you will have made a long step toward the possible establishment of an autocratic and despotic power in this country.

With those remarks, Mr. President, I desire to agree. It is to be noted, however, that Mr. Hardwick, notwithstanding those opinions, voted for Rule XXII because he believed that it was something which would be used only in the most extreme cases, when the country was in danger—a case similar to that which had come up, the country being in danger, Europe being at war, our vessels being held up, and a bill being before the Senate to arm the merchant marine, and that bill being held up by Senators who did not believe in its wisdom. He stated further on in his address and in his discussions, and it was stated by other Senators who voted for the rule, that it was not the intention to apply this rule except to important matters of great general interest after they had been fully debated. If there is any Senator here now who voted for the rule at that time who thinks that I am mistaken, I shall be very glad to yield to him in my time, and have him so state.

Mr. BORAH. Mr. President, I understand that the Senator is giving the construction which somebody entertained as to what would be done with this rule.

Mr. BINGHAM. All I was trying to state was that it was the understanding of Senators with whom I have talked who were here at that time that the rule would be applied only to the unfinished business which had been fully discussed.

Mr. BORAH. There might have been a few Senators who seriously entertained that view; but I suspect that the most of us understood that that rule would be applied to anything and at any time when there was a two-thirds vote to do it. I do not say that I like to see it done, but when you give the power it is going to be exercised.

Mr. BINGHAM. That is quite obvious, Mr. President. It has just been done within the past few days. Does not the Senator from Idaho think that the decision of the Chair that matters not before the Senate could be suddenly brought before the Senate by unanimous consent, and then Rule XXII be put into effect and held in effect, notwithstanding the fact that the bill to which it refers was not the unfinished business, was contrary to the spirit of the rule?

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me?

Mr. BINGHAM. I have asked the Senator from Idaho a question. I shall be glad to yield immediately afterwards.

Mr. BORAH. Will the Senator state that again? It was a rather long question.

Mr. ROBINSON of Arkansas. And a rather complicated question, as the Senator from New Hampshire [Mr. Moses] would say.

Mr. BINGHAM. What I asked the Senator from Idaho was whether he thought that the decisions of the Chair recently were in accordance with the spirit of the rule.

Mr. BORAH. The Senator is not appealing from the decision of the Chair now?

Mr. BINGHAM. I endeavored to appeal from it, but the appeal was laid on the table and I was prevented from the opportunity of discussing it at that time. That is why I am discussing it in my time on this bill.

Mr. BORAH. Mr. President, I do not think I shall pass any opinion upon the ruling of the Chair without further consideration of the matter. The Chair might or might not have been correct in the ruling; but let me say this, and it is the only thing I desire to impress on the Senator and those who are interested in this matter:

If this rule remains here as the rule of the Senate, it is going to be applied to accomplish the intent of the rule, and that is to shut off debate whenever two-thirds of the Senate want debate stopped. Whether that debate has been going on

10 minutes or 10 days, whenever two-thirds of the Senate make up their mind that it shall cease, this rule is going to accomplish that purpose. The thing to do, if we do not like that condition, is to get rid of the rule. If we want cloture, we can have it. If we do not, we ought not to have a rule among the rules of the Senate which will permit it, because the Senator knows and everyone knows who has been here for a brief time that whenever the power is here, and the votes are here, it will be exercised.

Mr. BINGHAM. I agree with the Senator entirely; and it was because of my agreement with that belief that I desired to address the Senate for a few minutes on this question. We have seen this situation arise within the last few days. For the first time since the rule was adopted it has been made possible for a decision of the Chair to take a Senator off his feet and to put in a petition for cloture. Not only that, but, by getting unanimous consent for the consideration for a brief period of time of any measure in which a Senator was interested, without giving any notice of the object of the unanimous-consent agreement, as soon as the unanimous-consent agreement was entered into and the bill in which the Senator was interested was brought up there was no effort to debate it on the part of the friends of the measure, but only immediately to introduce a cloture petition. Yet the bill had only been discussed during the entire session for less than three and one-half hours. I believe that the statement of the Senator from Idaho is absolutely true. Nevertheless, I believe the way the rule is being applied, it leads to cloture of a kind never intended to be used in this body.

Furthermore, the decision of the Chair, made this morning, and from which I endeavored to appeal without any success in so far as securing an opportunity to give the reasons of my appeal was concerned, permits the displacement of the unfinished business by the Chair and permits the making of new unfinished business by courtesy applied through the presentation of this petition. It was intended, I believe—and I think most Senators so understood, although of this I am not sure—that this rule should apply only to the unfinished business. Senators will all realize that it is extremely difficult to get a measure made the unfinished business. It can only be done by a motion.

Mr. CARAWAY. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield to the Senator from Arkansas.

Mr. CARAWAY. I think the—I was about to say "the alarming thing," but I will not say that—I think the suggestive thing which has happened is that we find ourselves with three or four petitions for cloture to be voted on, one after the other. If that rule shall be carried to its possibilities and two-thirds of the Senate shall have made up their minds, they can parcel out every minute of the time for any length of the session they see fit and prevent the discussion of any question except under cloture. Does not that seem possible to the Senator?

Mr. BINGHAM. I think the Senator is quite right.

Mr. CARAWAY. And if two petitions for cloture have been filed and both are voted on, one immediately after the other, I am curious to know by what refinement of reason it is determined that you can not vote on one, if the other shall carry, until the first measure shall have been either adopted or defeated. What power does the Chair have to say that one of them shall be voted upon within the hour, but that the other shall not be voted upon until next week? It is at least open to the Chair to make a good many precedents that amount to new rules.

Mr. BINGHAM. I think the Senator is quite correct, and I intended to call the attention of Senators to that point. If we permit these rulings to go on—and I want to congratulate the Vice President on his success in having accomplished by his rulings that which he could not accomplish by appealing to the country that we change our rules—if we permit these rulings to go on, there will be nothing whatever to prevent 6 or 8 or 10 cloture petitions being presented at one time, provided any Senator can get unanimous consent to have his bill considered for a minute while he presents it, all on the same day, all requiring that a vote on them be had at 1 o'clock two days later, whether there has been any previous discussion of the bill or not.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WADSWORTH. Mr. President—

Mr. BINGHAM. Just a moment, if I can be permitted—

Mr. ROBINSON of Arkansas. Will the Senator yield at that point?

Mr. BINGHAM. I should like to finish the sentence.

Mr. ROBINSON of Arkansas. The Senator has finished his sentence.

Mr. WADSWORTH. It has been finished for him.

Mr. ROBINSON of Arkansas. Since unanimous consent is required to bring about a condition where a cloture petition may even be presented, what objection can exist to such an interpretation of the rule?

Mr. WADSWORTH. Mr. President, will the Senator permit me to ask a question just there, the sentence of the Senator from Connecticut having been ended for him?

Mr. BINGHAM. Certainly.

Mr. WADSWORTH. In reply to the suggestion of the Senator from Arkansas on this very point—

Mr. ROBINSON of Arkansas. Which Senator from Arkansas?

Mr. WADSWORTH. The senior Senator from Arkansas; I beg the pardon of the junior Senator. Under this rule, as interpreted by the Vice President, 16 Senators may appear in advance petitions for cloture for every bill on the calendar; and when the Senate, acting under Rule VIII, takes up the calendar, they can present the petition for each bill as it is reached. Is not that true? It is not necessary to have unanimous consent.

Mr. ROBINSON of Arkansas. Mr. President, a bill must be pending when a petition for cloture is presented.

Mr. WADSWORTH. Yes; it is pending on the calendar under the five-minute rule.

Mr. ROBINSON of Arkansas. The Senator has suggested a strained and impossible—or improbable, to say the least—condition.

Mr. BINGHAM. Not at all.

Mr. ROBINSON of Arkansas. It was the thought of those who adopted this rule that if two-thirds should vote a limitation on debate, there was a justification for limiting debate.

Mr. BINGHAM. Now, Mr. President, if I may be permitted to resume in my time, I have only a few minutes—

Mr. ROBINSON of Arkansas. Will the Senator yield?

Mr. BINGHAM. I yield.

Mr. ROBINSON of Arkansas. The Senator absolutely invited by name a number of Senators to interrupt him, and now when they interrupt him and do not say the exact things he would like to have them say he finds his time is very valuable.

Mr. BINGHAM. Oh, no, Mr. President; I invited them to say whether my interpretation was correct; the Senator has so stated, and now I ask him if he will permit me to proceed.

Mr. ROBINSON of Arkansas. Certainly; if the Senator requests. He has the right to refuse to yield. But I suggest to the Senator, if he will permit me to make a suggestion—

Mr. BINGHAM. I yield.

Mr. ROBINSON of Arkansas. That unless he wants to be interrupted he do not invite interruptions.

Mr. BINGHAM. I yield, Mr. President. I do not desire to interrupt the Senator.

Mr. ROBINSON of Arkansas. Mr. President, the Senator is not very kind about it, and I think I will not interrupt him any more.

Mr. BINGHAM. I do not think the Senator understood me. I invited him to proceed.

Mr. ROBINSON of Arkansas. The Senator very plainly indicated that my interruptions were annoying him.

Mr. BINGHAM. Not at all. I regret if that was the impression made.

Mr. ROBINSON of Arkansas. I have no disposition to interrupt the Senator.

Mr. BINGHAM. Then, Mr. President, I would like to go on for a few minutes. We will go into executive session at 4 o'clock, and I have only a few minutes more in which to express a point which I was trying to bring up when several Senators interrupted the discussion.

The point I want to make is this: If under any circumstances whatsoever, either by unanimous consent or, as the Senator from New York indicated, when the particular bill is reached on the calendar, cloture petitions are presented—we have seen two at a time presented, very nearly four, and we might easily have eight—the whole spirit under which this rule exists will be broken into, because it is impossible to explain one's objections to cloture in the very little time that prevails.

In the decision which the Chair made this morning, which, to my mind, was a very extraordinary decision, without any disrespect to the Chair, in which he ruled that a cloture petition filed on Friday could go over until Monday, and a cloture petition filed on Saturday had also to be considered on Monday, thereby doubling up and making it all the more impossible for any proper discussion to be had under the rule, it is seen that we are faced with absolute crushing of debate.

The cloture petition filed on Saturday, late in the day, according to the ruling of the Chair, would now have to be con-

sidered on Monday at 1 o'clock. Monday is a very busy day, and there would then be only one hour for any discussion of the cloture, of the necessity for it, or any explanation of what was meant. Under the practice that has recently been followed, of applying cloture to measures that have not been discussed at all, or only very briefly, we would have "gag rule" put on in very truth. I have heard the expression "gag rule" used repeatedly after a measure had been discussed here for a week or two weeks, and before cloture was considered, but to-day we have had the "gag rule" applied to a measure that had not been considered, and, furthermore, with any number of amendments introduced.

Under the ruling of the Vice President this morning, if a number of amendments had been introduced on Saturday immediately after the petition was presented, and the whole matter had to be voted on upon Monday at 1 o'clock, there would not be even time enough for reading one of the amendments. We had an illustration of that this morning when the Senator from Maryland [Mr. BRUCE] introduced an amendment embodying a bill in which he was very much interested, and which everybody knows he has been fighting for all through the session very honorably and earnestly. He endeavored to do what other Senators have done, to attach a bill in which he was interested as an amendment to a bill likely to be voted on under cloture. When he was told that it could not be read between then and 1 o'clock without preventing any other Senator from saying anything, he very courteously withdrew the amendment, although he is still tremendously interested in the subject matter of the amendment. He withdrew the amendment because it could not be read without preventing all other discussion.

I submit that that is the most serious attack on the spirit of the rule and on the spirit of this body, where representatives of the States have a right to be heard at length on measures, even though they are in a small minority.

Furthermore—

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield at that point?

Mr. BINGHAM. Certainly.

Mr. ROBINSON of Arkansas. In nearly all legislative bodies by the previous question a majority may conclude debate upon all questions pending and take the sense of the assembly. That rule has not applied during recent years in the Senate of the United States, indeed, for a long number of years. The practice which arose in the Senate some years ago of a few individual Senators completely obstructing action by this body on measures respecting the public interest resulted in the presentation to the Senate of proposals for cloture. It was suggested the Senate should incorporate the previous question into its rules, and if that suggestion had been accepted, it would be competent at any time to terminate debate by moving the previous question and securing a majority vote upon that question.

Mr. WADSWORTH. Mr. President, will the Senator yield there, with the permission of the Senator from Connecticut?

Mr. ROBINSON of Arkansas. Yes, I yield; but I have not said what I wanted to say.

Mr. WADSWORTH. I would be very glad to have the Senator finish.

Mr. ROBINSON of Arkansas. The Senate decided not to adopt the previous question, but out of necessity decided to approve of a form of cloture. It was true that in many instances measures of vital importance to the Nation had been defeated by obstructive processes initiated by one or two individuals. Rule XXII represents the conclusion of the Senate as to the best method of providing for a limitation on debate.

That rule provides that whenever a question is pending before the Senate, 16 Senators may present a petition to the Senate which has the effect of taking the sense of the Senate, after the expiration of two days, as to whether a limitation on debate shall be imposed. At the end of two days the Senate votes on the question as to whether debate shall be limited.

Two-thirds, not a majority, are empowered to establish the limitation, and after that limitation has been made, there is authorized in theory 96 hours of debate in the Senate before the vote can be finally taken. Of course, in practice the debate usually terminates when cloture is imposed, because of the fact that the object of the Senators carrying on the debate is to prevent the Senate from registering its will under any condition. When they ascertain that two-thirds of the Senate have determined that the Senate demonstrate its capacity to do business, they abandon the debate, usually, and the vote is promptly taken. Consider the bill now before the Senate.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Certainly.

Mr. BINGHAM. I want to ask the Senator if he will not be so good as to get the floor in his own time and then yield to me in order that I may finish my speech?

Mr. ROBINSON of Arkansas. If the Senator will permit me one further statement, I will not ask him to yield further at this time. I was just about to say that this particular measure had been before the Senate for a long time, and repeated efforts had been made to secure consideration of it, and the Senate has more than once, according to my recollection, taken up the bill, but because of obstructive processes has been unable to reach any conclusion. The vote that was taken to-day demonstrates the fact that an overwhelming majority in the Senate supports this bill, for I think I am justified in saying that many of those who voted against cloture are for the bill and will vote for the bill upon its final passage.

I thank the Senator from Connecticut, and I apologize to him for taking so much of his time.

Mr. BINGHAM. Mr. President—

Mr. NEELY. Mr. President, will the Senator yield?

Mr. BINGHAM. I can not yield now, I am sorry to say. I have only 10 minutes more.

Mr. NEELY. That is all anybody has. None of us will have any time after 10 minutes, because then we will go into executive session.

Mr. BINGHAM. I yield for a question.

Mr. NEELY. For a moment; the question is of some little length.

Mr. BINGHAM. I hope the Senator will make his statement in his own time.

Mr. NEELY. I will not consume more than two minutes.

Mr. BINGHAM. The Senator must realize the fact that I have had double cloture practiced against me. I have only an hour to speak, and several speeches have been made in my time already.

Mr. NEELY. I will give the Senator as much of my time as he wishes.

Mr. BINGHAM. Under those conditions, I will yield. But will the Senator permit me to say just a word?

Mr. ROBINSON of Arkansas. Will the Senator permit me to say one more thing?

Mr. BINGHAM. With the greatest good will.

Mr. ROBINSON of Arkansas. I thank the Senator. I think this debate illustrates the value of cloture under the rule. The bill itself and the amendments to the bill have not even been mentioned. The Senator from Connecticut, and I in his time, have been talking about subjects wholly irrelevant to anything relating to this bill.

Mr. BINGHAM. Now, Mr. President, I should like to call the attention of the Senator from Arkansas and others to a remark he made the other day.

Mr. ROBINSON of Arkansas. Is it barred by the statute of limitations?

Mr. BINGHAM. I do not think so, as it was made less than a week ago. If the Senator chooses to so regard it, I shall be glad to have him withdraw the remark.

Mr. ROBINSON of Arkansas. That is one of my jests, which I will either have to explain or to apologize for.

Mr. BINGHAM. I think it was not a jest. On February 23, as appears on page 4545 of the RECORD, where the question of germaneness arose, during the discussion of cloture, the senior Senator from Arkansas said:

Under the rules of the Senate the question as to whether or not an amendment is germane is submitted to the Senate, and the Senate, if it has the votes to pass the bill as amended, would probably hold the amendment to be germane.

Does the Senator desire to withdraw that remark?

Mr. ROBINSON of Arkansas. I certainly do not. I desire to repeat it, and to repeat it with emphasis. The rule of the Senate contemplates that questions respecting whether or not an amendment is germane shall be submitted to the Senate, and the object of it is to enable the Senate to determine whether it wants to consider the particular amendment.

Mr. BINGHAM. Mr. President, what has just been said by the Senator from Arkansas in regard to his remarks made on the 23d of February is just what I wanted him to say, because I knew he believed what he said when he said it, and it was not necessary for him to emphasize it again, although he referred to the possibility of its having been a jest. His remarks mean that when a majority of the Senate, a majority of one, possibly, desires to have legislation passed, they can do so without debate and by strangulation, and without any two-thirds vote, in this way: A cloture petition has been introduced on any bill. After it is introduced, any amendment may be offered up to 1 o'clock on the day when the motion for cloture is being voted on. Any number of bills, including some that a small majority of the Chamber might want to have passed, might be introduced as amendments in that time. For instance, if my memory does not serve me badly, there is now

before the Senate or the House, or some committee thereof, an anti-lynching bill. It is possible that a majority of the Senate would pass that bill. I do not know, but I am merely using that as an illustration of a bill intensely opposed by a strong minority. The bill might be put on as an amendment at the last moment to a very important measure under cloture.

Mr. ROBINSON of Arkansas. Will the Senator yield?

Mr. BINGHAM. Just a moment. It might be put in without being read, as most amendments have been offered in the last few days, by unanimous consent, without anyone knowing just what was in them. Then, when the time for a vote arrives, a majority of the Senators would have to vote on it without any further discussion and without any opportunity to debate against it. We will have established a precedent whereby a majority of this body may pass anything under these circumstances without giving the minority, no matter how strong, an opportunity to speak at length against it.

Mr. WADSWORTH. And the amendment is not subject to perfection.

Mr. ROBINSON of Arkansas. Mr. President—

Mr. BINGHAM. I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The objection which has just been made by the Senator from New York is a valid one. An amendment may be offered which needs perfection, and under the cloture rule it can not be perfected unless an amendment perfecting it is offered prior to the vote on cloture. But in so far as the danger of majority cloture under this rule is concerned, I point out to the Senator from Connecticut that the rule itself requires that all amendments to be considered must be proposed and read before the vote on cloture, and if an amendment is obnoxious to a Senator, instead of taking the chance of the adoption of the amendment, his natural action would be to vote against cloture, and if the amendment which is obnoxious to him is not proposed before the vote on cloture is taken, it can not be submitted afterwards, except by unanimous consent.

The statement just made by the Senator from Connecticut—that sometimes amendments were offered and not read—begs the question, because under the rule it is the right of every Member of the Senate to have amendments read when they are presented in connection with the bill concerning which cloture has been proposed.

Mr. BINGHAM. But the Senator will realize that that very thing has happened. It is not an imaginary matter. We have seen in the last few days amendment after amendment proposed, and I do not recall more than one or two of them actually having been read. Furthermore, we have recently had a decision that these amendments can not be perfected after cloture is put on.

Mr. ROBINSON of Arkansas. But it was done by unanimous consent. I respectfully submit that any action which is taken by the unanimous approval of a body or with the unanimous consent of a body—

Mr. BINGHAM. A quorum not necessarily having been present.

Mr. ROBINSON of Arkansas. Is not open to objection. It is the right of every Senator, under this rule, to have every amendment that is proposed read, and unless it is read prior to the vote on cloture, it can not even be considered in connection with the bill after cloture has been adopted. So that the Senator from Connecticut has raised a scarecrow. He has constructed a straw man, and, with his very extraordinary ability and unusual intelligence, he is proceeding with great vigor and valor to destroy the creature of his own imagination.

Mr. BINGHAM. Mr. President, I desire to call to your attention, and to the attention of Senators, that this straw man which has been raised has aroused the opposition of the Senator from Arkansas to such an extent that he has made three speeches in my time in his own endeavor to destroy and knock down that straw man.

Mr. ROBINSON of Arkansas. It has been done with the consent of the Senator from Connecticut.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hattigan, one of its clerks, announced that the House had passed the following bills:

S. 4851. An act authorizing the Secretary of War to convey to the city of Springfield, Mass., certain parcels of land within the Springfield Armory Military Reservation, Mass., and for other purposes;

S. 4863. An act authorizing the adjustment of the boundaries of the Arapaho National Forest, and for other purposes;

S. 4964. An act transferring a portion of the lands of the military reservation of the Presidio of San Francisco to the Department of the Treasury; and

S. 5266. An act to prohibit the sale of black bass in the District of Columbia.

The message also announced that the House had passed the bill (S. 4027) to authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers at Marion, Ind., with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3963) to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President.

H. R. 14930. An act granting the consent of Congress to the H. A. Carpenter Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the town of St. Marys, Pleasants County, W. Va., to a point opposite thereto in Washington County, Ohio;

H. R. 16282. An act granting the consent of Congress to the Nebraska-Iowa Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River;

H. R. 16685. An act granting the consent of Congress to the Carrollton Bridge Co., its successors and assigns, to construct, operate, and maintain a bridge across the Ohio River between Carrollton, Carroll County, Ky., and a point directly across the river in Switzerland County, Ind.;

H. R. 17128. An act granting the consent of Congress to the State of Indiana, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River, and permitting the State of Kentucky to act jointly with the State of Indiana in the construction, maintenance, and operation of said bridge;

H. R. 17264. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Ill.; and

H. J. Res. 332. Joint resolution to correct an error in Public, No. 526, Sixty-ninth Congress.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 16688. An act to authorize the city of Muskogee, Okla., to remove and retain title to the boilers from the Municipal Hospital Building recently conveyed by the city to the United States Veterans' Bureau Hospital No. 90, at Muskogee, Okla.; to the Committee on Finance.

H. R. 17291. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1927, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1927, and June 30, 1928, and for other purposes; to the Committee on Appropriations.

H. R. 17298. An act granting the consent of Congress to the States of New York and Vermont to construct, maintain, and operate a free highway bridge across Lake Champlain; to the Committee on Commerce.

H. R. 16507. An act to authorize an increase in the limit of cost of certain naval vessels, and for other purposes; and

H. R. 16973. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

EXECUTIVE SESSION

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Senate, under the order previously entered, will proceed to the consideration of executive business. The Sergeant at Arms will clear the galleries and close the doors.

Thereupon the Senate proceeded to the consideration of executive business. After two hours spent in executive session the doors were reopened, and (at 6 o'clock p. m.), under the order previously entered, the Senate took a recess until 8 o'clock p. m.

EVENING SESSION

The Senate reassembled at 8 o'clock p. m., on the expiration of the recess.

The PRESIDENT pro tempore. The Senate is operating under a unanimous-consent agreement previously entered into for the consideration of unobjected bills on the calendar. The clerk will report the first bill on the calendar.

BILLS, ETC., PASSED OVER

The bill (S. 2607) for the purpose of more effectively meeting the obligations of the existing migratory bird treaty with Great

Britain by the establishment of migratory bird refuges to furnish in perpetuity homes for migratory birds, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, for the establishment of public shooting grounds to preserve the American system of free shooting, and for other purposes, was announced as first in order.

Mr. PHIPPS. Mr. President, I do not think it will be advisable to spend any time in the consideration of the bill the title of which has just been stated—

The PRESIDENT pro tempore. The bill will be passed over.

Mr. PHIPPS. But there is a bill along similar lines, which is order of business 1499, being the bill (S. 5454) authorizing the establishment of a migratory bird refuge at Bear River Bay, Great Salt Lake, Utah, and I ask unanimous consent for its present consideration.

Mr. ROBINSON of Arkansas. Mr. President, I understood the unanimous-consent agreement was to take up unobjected bills on the calendar, and that there was to be a call of the calendar.

The PRESIDENT pro tempore. That was the understanding of the Chair.

Mr. ROBINSON of Arkansas. I think we had better pursue that course.

Mr. PHIPPS. Very well.

The PRESIDENT pro tempore. The bill will be passed over. The Clerk will report the next bill on the calendar.

The bill (S. 2808) to amend section 24 of the interstate commerce act, as amended, was announced as next in order.

Mr. WILLIS. Let the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1618) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven or knitted fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. WADSWORTH. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 66) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, was announced as next in order.

Mr. JONES of Washington. I think the bill had better go over. We can not consider it under the five-minute rule.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3027) making eligible for retirement, under certain conditions, officers and former officers of the Army of the United States, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War, was announced as next in order.

Mr. WADSWORTH. I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 454) to prevent the sale of cotton and grain in future markets, was announced as next in order.

Mr. WADSWORTH. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2584) to promote the development, protection, and utilization of grazing facilities on public lands, to stabilize the range stock-raising industry, and for other purposes, was announced as next in order.

Mr. WADSWORTH. Let the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 188) to amend paragraph 2 of Rule XXXVIII of the Standing Rules of the Senate relative to nominations was announced as next in order.

Mr. McKELLAR. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go over.

The bill (S. 3840) to provide for the consolidation of carriers by railroad and the unification of railway properties within the United States was announced as next in order.

Mr. FESS. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3821) to place under the civil service act the personnel of the Treasury Department authorized by section 38 of the national prohibition act was announced as next in order.

Mr. BINGHAM. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2938) for the relief of the stockholders of the First National Bank of Newton, Mass., was announced as next in order.

Mr. BRATTON. Let the bill go over.
The PRESIDENT pro tempore. The bill will be passed over.
Mr. WALSH of Massachusetts. Mr. President, I would like to know who objected to Senate bill 2938?

Mr. BRATTON. I objected.

Mr. WALSH of Massachusetts. The bill has been reported favorably from the committee on four previous occasions and has passed the Senate on different occasions.

Mr. BRATTON. It was up several times during the last session of the present Congress and objection was made. I gave it some attention at that time and thought the objection was sufficient to justify renewing it now.

Mr. WALSH of Massachusetts. Does the Senator still object?

Mr. BRATTON. I do.

The PRESIDENT pro tempore. The bill will be passed over.
The bill (S. 2929) to authorize the refunding of certain evidences of indebtedness issued by carriers in interstate commerce, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.
The bill (S. 786) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, and acts in amendment thereof, was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The bill will be passed over.
The bill (S. 62) for the allowance of certain claims for indemnity for spoliation by the French prior to July 31, 1801, as reported by the Court of Claims, was announced as next in order.

Mr. LA FOLLETTE. Over.

The PRESIDENT pro tempore. The bill will be passed over.
The bill (S. 3331) to provide for the protection and development of the lower Colorado River Basin was announced as next in order.

Mr. ASHURST. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.
The bill (S. 3473) to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

FOREIGN COMMERCE SERVICE

The bill (H. R. 3858) to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a foreign-commerce service of the United States, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. WILLIS. Mr. President, I understood that the Senator from Utah desired to offer some amendments to the bill.

Mr. KING. Yes. I withdraw my objection to the bill. I desire to offer some amendments to the measure.

Mr. OVERMAN. Let the bill go over.

Mr. FLETCHER. It is quite an important measure.

Mr. BINGHAM. I hope the Senator will withdraw his objection. It is a very important bill, the passage of which is desired by a very large number of citizens.

Mr. OVERMAN. It establishes another bureau in the Treasury Department.

Mr. BINGHAM. No; it does not. The bureau is now established.

The PRESIDENT pro tempore. Does the Senator from North Carolina withdraw his objection?

Mr. OVERMAN. Yes; I withdraw my objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. KING. I desire to offer certain amendments to the bill. In lines 8 and 9, page 1, after the word "attachés," I move to strike out the words "(senior grade), commercial attachés (junior grade)."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. On page 2, line 18, after the word "coordination," I move to insert the following words:

Under regulations approved by the Civil Service Commission.

The PRESIDENT pro tempore. The question is on agreeing on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. KING. On page 3, line 5, I move to strike out the words "class 2, \$7,000 to \$9,000."

The PRESIDENT pro tempore. Without objection the amendment is agreed to.

Mr. KING. In the same line I move to strike out at the end of the line the figure "3" and insert in lieu thereof the figure "2" so that it will read "class 2."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. In line 6, I move to strike out the words and figures "class 4, \$5,000 to \$7,000."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. At the end of line 6, I move to strike out the figure "5" and insert in lieu thereof the figure "3," after the word "class."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. In line 7, I move to strike out the figure "6" and insert in lieu thereof the figure "4," so it would read "class 4."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. In the same line, I move to strike out the numerals "\$5,000" and to insert in lieu thereof "\$4,000."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. In the same line, after the word "class," I move to strike out the figure "7" and to insert in lieu thereof the figure "5," so that it will read "class 5."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. In line 11, before the period, I move to insert a comma and the words "and the various commercial interests of the different sections of the country."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. KING. Mr. President, I have offered these amendments because I think they will improve the bill. I may say that I am not satisfied with the bill in its present form, but I have no objection whatever to its consideration. I believe I may say that it would have been wiser if in the beginning we had unified the service which deals with our foreign commercial relations. I had a talk with the late lamented Senator from Massachusetts [Mr. Lodge], and he and I, I think, were in accord on the proposition that instead of having our foreign service divided it should be united. Our idea was to increase the Consular Service and strengthen the Diplomatic Service and to have the Diplomatic Service, including the Consular Service, look after our foreign commerce much the same as European nations do as to their foreign commerce.

It has been discovered that the commercial attachés, in order to have the prestige which our representatives should have to extend our foreign trade and commerce, must seek refuge under the State Department and be connected with the State Department. The bill accomplishes that result. There is more or less of a duplication and it would have been better, instead of creating these commercial attachés in the Department of Commerce, that our foreign work in connection with trade and commerce should have been conducted by the State Department. However, we have departed from what I conceive to have been a sound policy. It is not a proposition de novo; it is a sort of a fait accompli. I have offered the amendments because I think it is the best under the circumstances that can be obtained.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WILLIS. I ask at this point to insert in the RECORD a brief analysis of the bill which I have prepared.

The PRESIDENT pro tempore. Without objection it is so ordered.

The analysis referred to is as follows:

On March 3, 1905, the House of Representatives passed the regular budget act making appropriations for the legislative, executive, and judicial expenses of the Government. This act contained an item of \$30,000 for an investigation of trade conditions abroad by agents of the Department of Commerce and Labor with the object of promoting the foreign commerce of the United States.

Under this appropriation the Bureau of Manufactures of the Departments of Commerce and Labor appointed four special agents on July 1, 1905, to make such investigations abroad. The success these agents had in carrying out their investigations and the satisfaction with the work manifested by those whose interests were being served caused this service to be continued and extended. Many industries appealed to the department to extend these market surveys to cover their products. Formerly few firms in the United States gave attention to foreign trade, trusting to export agencies and jobbers for occasional

orders. The manufacturers were thus seldom conversant with the needs of the foreign markets and were not in a position to develop their export trade.

The value of the work these trade scouts were doing was so obvious that Congress continued to increase the appropriation for this work. These agents visited all parts of the world reporting on trade conditions, the products and resources of the various countries, their purchasing power, consumption of foreign goods, business conditions, peculiarities of their markets, and similar subjects of interest to American manufacturers. The elasticity of this system enabled the department to keep in constant touch with the commercial opportunities of the whole world.

In South America and the Far East, however, our competitors had established offices in charge of permanent representatives whose constant presence and efforts, devoted exclusively to trade promotional work, enabled them to be fully informed of conditions and changes and to promptly report such changes. These permanent representatives of governments of countries which were competing for the trade of these areas were familiar with the language of the country in which they were stationed, and were in a better position than the roving representatives of the United States Government to report on trade opportunities and persuade purchasers to buy from their manufacturers.

The Secretary of Commerce therefore recommended to Congress the appointment of 9 or 10 commercial experts who should supplement and strengthen the system of collecting trade facts by traveling agents. In 1914 Congress authorized \$100,000 for the establishment of a corps of commercial attachés, who were dispatched promptly to Europe, the Orient, and Latin America. With diplomatic status, free to travel in the countries to which they were assigned, and with no other duties than those of trade promotion, these representatives soon established a complete and well-rounded system of trade promotion comparing favorably with that of any other nation.

Since 1915 the number of foreign offices maintained by the Department of Commerce has increased from 10 to 42. The department now has 105 reporting officers stationed in 35 countries. This important service has continued to exist by reason of appropriations, but has no legislative status. * * * This bill gives legislative status to the foreign commerce service but authorizes no new duties, nor does it require any appropriation other than those already available to the department.

This bill does not authorize any new duties, does not carry any appropriations, and does not contain any provisions relating to retirement or disability. It gives legislative status to a service organized in 1905 which has gradually developed until the present time. The service is now composed of 101 reporting officers in 42 foreign offices. In addition there are 19 American clerks and 173 foreign clerks, messengers, janitors, etc. Twenty-four of these 42 foreign offices are commercial attaché posts, that is, offices attached and under the direction of the embassy or legation, while 18 are trade commissioner offices located in cities in which there is no embassy or legation (such as Melbourne, Calcutta, Ottawa, Johannesburg) but with similar duties to those of the commercial attachés. As the State Department gives official recognition to all foreign representatives of the Department of Commerce no one would be sent to a country with which the State Department has severed relations.

Section 1. Organization: Establishes grades in foreign commerce service. Desirable to make distinction between various commercial attaché posts: London would be a senior commercial attaché post, whereas Lima, Peru, would be a junior commercial attaché post. Both officers, however, would be attached to and under control of the embassy.

SECTION 2. Functions: No new functions authorized. Analysis of functions:

I. Advice to American firms as to best methods of developing foreign trade.

II. Reporting on economic conditions.

III. Combating discrimination against American trade interests.

IV. Studying opportunities for American investments abroad.

V. Assisting and advising diplomatic missions in economic and trade matters.

SECTION 3. Examination: Examinations given jointly by Civil Service Commission and Department of Commerce have been held for 20 years, from which bureau has secured very high type of foreign representatives. Rigorous tests in economics, foreign trade technique, commercial geography, and foreign languages. Examinations held during April, 1926, brought out such candidates as following:

A. Age 39; B. Sc., University of Vermont; 19 years' experience as salesman and executive; traveled for six years through Europe, Far East, and Central America; present position: Vice president of nationally known rubber company.

B. Age 43; high-school education; eight years' newspaper reporting in New York City; two years assistant editor of nationally circulated magazine; five years' editor of New York Times "Annalist," five years' with very prominent New York bank, in charge of their trade publica-

tions; two years' secretary of bank organized under Edge law to develop foreign trade.

Any variation from this policy of selecting candidates after examination by the Civil Service Commission would be certain to arouse the unfavorable reaction of business men. The National Association of Credit Men, in its official indorsement of the Hoch bill, pointed out that the service is made up of "only men with practical business experience, the assurance of whose nonpartisan status and thorough equipment by examinations under the Civil Service Commission has been largely responsible for the high esteem in which the service has been held by the business community for a score of years."

Applicants for positions in the foreign field service are brought to the attention of the bureau, (1) by direct application to the bureau, (2) by application to the Civil Service Commission, (3) by nomination of Senators or Representatives, or (4) through indorsements of trade organizations or individual business men.

The applicant is asked to fill out civil-service Form 2600, setting forth the details of his education and experience, together with certain personal data as to age, place of birth, marital condition, etc.

Unless the civil-service form indicated that the applicant is obviously not equipped for the work, he is then invited to take an oral examination before a board made up of officials of the Civil Service Commission and the Bureau of Foreign and Domestic Commerce.

If he passes the examination and a vacancy occurs for which he seems to be specially qualified, a careful check is made to determine the esteem in which he is held by previous employers. This check is made personally by officials of the bureau, usually through managers of the district offices.

If this personal check-up is satisfactory, the department recommends to the Civil Service Commission that the applicant be appointed, and the commission then approves or rejects the recommendation on the basis of the application form, the examination records, and other evidence that may be in its possession.

This system of examination has worked excellently and has assured the appointment of only highly qualified men. During its lifetime the service has seen several changes of administration, but they have had no disturbing influence. Especially under the Taft, Wilson, and Harding-Coolidge administrations has this service gained in the esteem of the business community on account of the high grade of representatives abroad.

Section 3d. Assignments in Washington: Practice of bringing field officers back for a period of service in Washington organization has been followed for years with excellent results. These men not only able to render considerable assistance to experts in bureau and to American business men throughout the United States but also to become reacquainted with business conditions in the country. Appropriation act now restricts the number of foreign representatives for duty in Washington to two commercial attachés and eight trade commissioners.

Section 3e. Leaves of absence: Business organizations and consular service have found from experience that possibility of keeping capable men in service greatly increased if they are permitted to take their vacations in the United States. This practice essential for men stationed in such places as the Tropics. Bureau's intention to allow officers who are not brought back for duty in Washington to return every three of four years to spend their vacation in the States.

Section 4. Local employment: In interest of efficiency and economy highly desirable to continue practice of utilizing local employees for work as janitors, messengers, and clerks. Bureau is able to command services of natives not only highly qualified as stenographers and typists and accountants but who have intimate and life-long knowledge of various languages, local business conditions, and laws at salaries far below those paid to American clerks with much less equipment. For instance, commercial attaché in Vienna employs an Austrian who is an LL. D., stenographer, and typist, several years' experience representing American firms in Vienna, thorough knowledge of German, English, French, Czechoslovak, and Polish, at a salary of \$85 a month. Trade commissioner in India has a native clerk who has graduated from the Madras University and a business college in London, an excellent stenographer and typist, with several years' business experience in India, at a salary of \$100 a month.

Section 5a. Relation to embassy or legation: Commercial attachés and assistants under control of ambassador or minister. Official status is of great assistance in maintaining proper contacts with ministries of foreign governments and pursuing commercial investigations without interference. Officers traveling on diplomatic passports are shown much greater courtesies and allowed greater facilities. Foreign commerce officers would be unable to properly perform their duties as assistants to ambassadors or ministers without official status.

Section 5b. Public ministers: Foreign representatives of the Department of Commerce are primarily business men and in no sense public ministers who are privileged to represent the United States Government.

Section 6a. Per diem: One of the severest claims made upon foreign representatives has been necessity of paying out of their own pockets an amount equal to and at times greater than that allowed by the Government on every official trip taken. The department insists that its field officers travel throughout their territory frequently and such travel is a serious financial burden upon these men. During first 15 months trade commissioner was in Ottawa he traveled 19,200 miles, was away from his post 110 days, for which he was allowed \$440 by the Government, but had to spend \$678, \$238 of which had to come out of his own pocket.

Section 6c. Per diem in United States: Expenses for travel while in the United States are restricted to those allowed all Government employees.

Section 7. Appropriations: Foreign Service appropriations recently reported by the Senate committee and passed are as follows:

	1926-27
Commercial attachés.....	\$335,000
Promoting commerce, Europe and other areas.....	487,350
Promoting commerce, South and Central America.....	333,090
Promoting commerce in the Far East.....	290,000
Enforcement of the China trade act.....	30,000
Total.....	1,475,440

Senatorial confirmation of foreign representatives of the Department of Commerce is unnecessary from a constitutional viewpoint. The Constitution for purposes of appointment divided all its officers into two classes, the primary class, including ambassadors, public ministers, and consuls, require nomination by the President and confirmation by the Senate. Foreseeing that when officers became numerous and sudden removals necessary, this mode of handling might prove inconvenient, it was provided that as to inferior officer, Congress might by law vest their appointment in the President alone, in the courts of law, or in the heads of departments.

Foreign representatives of the Department of Commerce are primarily business men, are in foreign countries to look after trade and business, and are not expected to carry on the duties of diplomats. This bill provides (section 5a) that they be "attached to the diplomatic mission" so as to control their operations.

There are many times when it becomes necessary for the Department of Commerce to send a representative to some foreign post in order to meet and deal with an emergency situation; e. g., when the Japanese earthquake occurred in September, 1923, it was necessary for the Department of Commerce to send several commercial representatives to Japan immediately. Within 48 hours two of the department's representatives from China had arrived in Tokyo, and within a month two engineering trade commissioners had been sent out from Washington. If senatorial confirmation had been necessary in this case, it is doubtful whether or not their services would have been available in sufficient time to be of any value. In September, 1923, when the United States Government recognized the Government of Mexico, there was an immediate resumption of trade between the two countries. American manufacturers and exporters who had been postponing entering the Mexican market immediately went into that country, and the presence of trade experts from the Department of Commerce, of course, was highly desirable. The requirement of senatorial confirmation would have delayed their entrance into Mexico.

Difficulty would arise when the Senate was not in session. A temporary ad interim appointment would be necessary, the permanency of which would be contingent upon action by the Senate when it convened.

* * * * *

Prior to 1924 it was the practice of the bureau of foreign and domestic commerce to send Americans abroad to perform clerical duties in its foreign offices. Although there were some features favoring such a practice, such as a knowledge that the clerks in the offices were entirely trustworthy, the general result was unsatisfactory and expensive, so many young Americans, both men and women, were sent abroad and within a very short time became dissatisfied with living conditions and insisted upon returning. In one instance the bureau sent a young man to a far eastern post and after four months he resigned. His service during the four months cost a total of \$2,093, or an average of \$523 a month. The bureau sent an American woman, 35 years of age, to a far eastern post and after one year she reported that she could not remain abroad on account of illness and had to be returned. Her service as a stenographer in this foreign office cost a total of \$3,648 for the one year, or an average of \$304 monthly. Such experiences were rather frequent and as a result the bureau secured permission from the Civil Service Commission to appoint clerks locally. This practice has worked out with entire satisfaction and at less than one-half of the previous expense. Our foreign representatives have been able to secure clerks well acquainted not only with the language of the country in which they are stationed, but also with English, and who are very well educated. The bureau is relieved, moreover, from the necessity of paying the transportation expenses of such employees to and from the United States every few years.

At the present time (March, 1926), there are 173 local employees in the Foreign Commerce Service, with an average salary of \$976. This practice has been so entirely satisfactory that at the present time the bureau is only sending American clerks to offices where it is almost impossible to secure locally stenographers who can take English dictation. In several of the larger offices it has also been found desirable to send accountants abroad who are also capable of doing secretarial work.

The bill as passed by the Senate is, in its amended form, as follows:

Be it enacted, etc., That there is hereby established in the Bureau of Foreign and Domestic Commerce of the Department of Commerce the Foreign Commerce Service of the United States (hereinafter referred to as the "foreign-commerce service"), consisting of officers to be graded in the following order and to be known as commercial attachés, assistant commercial attachés, trade commissioners, and assistant trade commissioners.

SEC. 2. Under the direction of the Secretary of Commerce (hereinafter referred to as the "Secretary"), the officers of the foreign-commerce service shall—

- (a) Promote the foreign commerce of the United States;
- (b) Investigate and report upon commercial and industrial conditions and activities in foreign countries which may be of interest to the United States;
- (c) Perform such other duties as the Secretary may direct in connection with the promotion of the industries, trade, or commerce of the United States;
- (d) Make such inspections of the foreign-commerce service as the Secretary may direct.

SEC. 3. (a) The Secretary is authorized to appoint officers of the foreign-commerce service, but only after eligibility has been determined by examinations held by the Civil Service Commission and the Department of Commerce in coordination, under regulations approved by the Civil Service Commission except that the Secretary may, with the approval of the Civil Service Commission, appoint without such examination any person who, prior to the date on which this act takes effect, has served, or has passed an examination for appointment, as commercial attaché, assistant commercial attaché, trade commissioner, division head, assistant trade commissioner, commercial agent, or special agent in the Bureau of Foreign and Domestic Commerce.

(b) The Secretary shall appoint each officer of the foreign-commerce service to a grade specified in section 1, and to one of the following classes, and shall fix his compensation within the salary range specified for such class: Class 1, \$8,000 to \$10,000; class 2, \$6,000 to \$8,000; class 3, \$4,000 to \$6,000; class 4, \$3,000 to \$4,000; class 5, below \$3,000. In making appointments to a grade and class and in fixing compensation the Secretary shall take into consideration the examination and record of the officer and the post to which assigned, and the various commercial interests of the different sections of the country.

(c) The Secretary is authorized to promote or demote in grade or class, to increase or decrease within the salary range fixed for the class the compensation of, and to separate from the service officers of the foreign-commerce service, but in so doing the Secretary shall take into consideration records of efficiency maintained under his direction.

(d) Any officer of the foreign-commerce service may be assigned for duty in the United States for a period of not more than three years without change in grade, class, or salary, or with such change as the Secretary may direct.

(e) The Secretary of Commerce is authorized, whenever he deems it would be in the public interest, to order to the United States on his statutory leave of absence any foreign-commerce officer who has performed three years or more of continuous service abroad: *Provided*, That the expenses of transportation and subsistence of such officers and their immediate families, in traveling from their posts to their homes in the United States and return, shall be paid under the same rules and regulations applicable in the case of officers going to and returning from their posts under orders of the Secretary of Commerce when not on leave: *Provided further*, That while in the United States the services of such officers shall be available for trade conference work and for such other duties in the Department of Commerce and elsewhere in the United States as the Secretary of Commerce may prescribe.

SEC. 4. (a) Subject to the requirements of the civil service laws and rules, the Secretary is authorized to appoint, fix the compensation of, promote, demote, and separate from the service such clerks and other assistants for officers of the foreign-commerce service as he may deem necessary.

(b) When authorized by the Secretary and in accordance with the regulations of the Civil Service Commission, officers of the foreign-commerce service may employ in a foreign country, from time to time, fix the compensation of, and separate from the service such clerical and subclerical assistants as may be necessary.

SEC. 5. (a) Any officer of the foreign-commerce service designated by the Secretary of Commerce shall, through the Department of State,

be regularly and officially attached to the diplomatic mission of the United States in the country in which he is to be stationed. If any such officer is to be stationed in a country in which there is no diplomatic mission of the United States, appropriate recognition and standing, with full facilities for discharging his official duties, may be arranged by the Department of State. The Secretary of State may reject the name of any such officer if in his judgment the assignment of such officer to the post designated would be prejudicial to the public policy of the United States.

(b) No officer of the foreign-commerce service shall be considered as having the character of a public minister.

SEC. 6. (a) Any officer, clerk, employee, or assistant of the Bureau of Foreign and Domestic Commerce, while on duty outside the continental limits of the United States and away from the post to which he is assigned, shall be entitled to receive his necessary traveling expenses and his expenses incurred for subsistence, or per diem allowance in lieu thereof, in accordance with law, including, at the discretion of the Secretary, expenses for subsistence for the entire period while attending a trade gathering, congress, or conference, and, in any other case, for the entire period (but not exceeding 60 days) while remaining continuously in any one place.

(b) The Secretary may authorize any officer of the foreign-commerce service to fix, in an amount not exceeding the allowance fixed for such officer, an allowance for actual subsistence, or a per diem allowance in lieu thereof, for any clerical or subclerical assistant employed by such officer under subdivision (b) of section 4.

(c) Any such officer, clerk, employee, or assistant, while on duty within the continental limits of the United States, shall be entitled to receive the traveling expenses and actual expenses incurred for subsistence, or per diem allowance in lieu thereof, authorized by law.

SEC. 7. Any appropriation available during the fiscal year ending June 30, 1926, and thereafter for the Department of Commerce for commercial attachés, or for promoting commerce in Europe and other areas, South or Central America, or the Far East, shall be available for carrying out the provisions of this act, including the payment of salaries and compensation for personal services, in the District of Columbia or elsewhere, necessary janitor and messenger service, traveling and subsistence expenses and per diem allowances, the purchase of necessary furniture and equipment, stationery, and supplies, typewriting, adding, and computing and duplicating machines, accessories and repairs, the purchase of law books, books of reference and periodicals, foreign and domestic newspaper reports, documents, maps, plans, specifications, manuscripts, and all other necessary publications, the payment of rent outside the District of Columbia, and all other necessary incidental expenses. With the approval of the Secretary, an officer of the foreign-commerce service may enter into leases for office quarters and may pay rent, telephone, subscriptions to publications, and other similar charges in advance in a foreign country where custom or practice requires payment in advance.

SEC. 8. This act shall take effect upon its enactment.

Passed the House of Representatives April 13, 1926.

BILLS PASSED OVER

The bill (S. 3342) to remove clouds from the title of the Verde River irrigation and power district to its approved rights of way for reservoirs and canals and extend the time for construction of its project, and for other purposes, was announced as next in order.

Mr. ASHURST. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4177) to regulate interstate and foreign commerce in coal and to promote the general welfare dependent on the use of coal, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 8714) authorizing the Secretary of the Interior to equitably adjust disputes and claims of settlers and others against the United States and between each other arising from incomplete or faulty survey in township 19 south, range 26 east, Tallahassee meridian, Lake County, in the State of Florida, was announced as next in order.

Mr. FLETCHER. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3533) to provide for the better definition and extension of the purpose and duties of the Bureau of Education, and for other purposes, was announced as next in order.

Mr. BAYARD. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3255) for the relief of certain counties in the States of Oregon and Washington within whose boundaries the reversioned Oregon & California Railroad Co. grant lands are located was announced as next in order.

Mr. LA FOLLETTE. I would like to have an explanation of the bill.

Mr. OVERMAN. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 4224) to amend Title II of an act approved February 23, 1925 (43 Stat. 1053), regulating postal rates, and for other purposes, was announced as next in order.

Mr. BAYARD. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

TAX SUITS AGAINST THE UNITED STATES

The joint resolution (S. J. Res. 92) consenting that certain States may sue the United States and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the years 1866, 1867, and 1868, and vesting the right in each State to sue in its own name, was announced as next in order.

SEVERAL SENATORS. Over.

Mr. STEPHENS. Mr. President, I would like to inquire who made an objection to the consideration of the measure?

The PRESIDENT pro tempore. The Senator from Mississippi makes inquiry with reference to the objection made to the consideration of Calendar No. 832.

Mr. WILLIS. Mr. President, I promised the Senator from Mississippi that I would not object to the consideration of his measure, but if it is taken up I shall have to ask the attention of the Senate to it, under the rule, that I may present some objections to it and some arguments against it. I do not object to the opportunity the Senator seeks to have a vote on the joint resolution.

Mr. STEPHENS. I had an understanding with the Senator from Ohio that he would not object to the consideration of the joint resolution, but he would like to discuss the matter for 10 minutes. I agreed that I would ask that he might have 10 minutes. I am willing to yield four minutes of the five minutes to which I am entitled in order to let him have 10 minutes. This is a measure of importance to citizens of the States and we ought to have a vote on it.

Mr. KING. Mr. President, I would like to have the joint resolution read first.

The PRESIDENT pro tempore. The joint resolution will be read for the information of the Senate.

The Chief Clerk read the joint resolution, which had been reported from the Committee on Claims with amendments.

The PRESIDENT pro tempore. The first amendment will be stated.

The CHIEF CLERK. On page 2, line 3, after the word "suits," insert the words "to recover taxes hereinafter mentioned."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. WILLIS. Perhaps the present opportunity may be as good as any other to call attention to the character of the measure which is being considered at a night session and under the five-minute rule. I dare say that the Senator from Mississippi or any other Senator is unable to guess how many hundreds of millions of dollars are involved in the legislation. It is proposed by the joint resolution to back Uncle Sam up into the corner, tie his hands, and say: "Old gentleman, you have to stand and deliver." This is not a new matter. It has been before the Congress on previous occasions. It was referred to the Treasury Department on January 15, 1925. I hold in my hand a letter which was written by the Secretary of the Treasury touching the measure. I want to read a paragraph or two from that letter:

The effect of the proposed legislation would be to extend the period of limitations within which suits for the recovery of taxes could be brought. Upon this point the position of the department has uniformly been in opposition to any extension of the period of limitations. It seems necessary from an administrative standpoint to place some limitation upon the time within which suits to recover taxes can be brought.

Further on the Secretary said:

It may be said also that if the acts referred to were held to be unconstitutional the lapse of time since the taxes were collected is so great that it presents an almost insurmountable obstacle to the ascertainment of the correct amounts paid. Indeed, it is very doubtful whether the available records of this department are adequate enough to enable the department to determine with any degree of accuracy what amounts have been paid, the taxes for which these amounts were paid, and to what extent the amounts have not already been refunded. In this respect it should be noted that the actions to recover these taxes would be brought by the States and not by the taxpayers. The department would receive little or no assistance from the taxpayers, and not only this department but the Supreme Court of the United States would be burdened with the tremendous task of ascertaining what amounts, if any, should be paid back.

There are two points in this connection. First, we are proposing here to wipe out the statute of limitations and to waive every defense that Uncle Sam would have or, as suggested a little bit ago, to back him up in the corner, feet and hands tied, and go through his pockets, without any defense whatsoever.

Furthermore, the Treasury points out that under the measure there is no possible means by which the department can determine from the records how much is to be collected.

Mr. McKELLAR. Mr. President—

Mr. WILLIS. I yield to the Senator, though I have only five minutes under the rule.

Mr. McKELLAR. I was interested in the letter to which the Senator referred. I was wondering why the Secretary of the Treasury is opposed to refunding these taxes, in view of his record of refunding some \$300,000,000 in the last two or three years.

Mr. WILLIS. I do not know about that; and that, it seems to me, is not particularly in point. I would like to place in the RECORD the complete letter from the Secretary of the Treasury under date of January 15, 1925. It is a letter directed to the late Senator Albert B. Cummins.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter referred to is as follows:

TREASURY DEPARTMENT,
Washington, January 15, 1925.

HON. ALBERT B. CUMMINS,
Chairman Committee on the Judiciary,
United States Senate.

MY DEAR SENATOR: I have the honor to acknowledge receipt of your letter dated December 15, 1924, transmitting a copy of Senate Joint Resolution 138, consenting that certain States may bring suit in the Supreme Court against the United States to recover taxes alleged to have been illegally collected during the years 1866, 1867, and 1868 under the act of Congress approved July 1, 1862, and amended July 13, 1866, and March 2, 1867.

The effect of the proposed legislation would be to extend the period of limitations within which suit for the recovery of taxes could be brought. Upon this point the position of the department has uniformly been in opposition to any extension of the period of limitations. It seems necessary from an administrative standpoint to place some reasonable limitation upon the time within which suit to recover taxes can be brought. When the ordinary period of limitations is considered it can hardly be said that legislation which has the effect of extending the period of limitations to practically 60 years from the date of payment of the tax is in harmony with the policy referred to.

It may be said also that if the acts referred to were held to be unconstitutional the lapse of time since the taxes were collected is so great that it presents an almost insurmountable obstacle to the ascertainment of the correct amounts paid. Indeed it is very doubtful whether the available records of this department are adequate enough to enable the department to determine with any degree of accuracy what amounts have been paid, the taxes for which these amounts were paid, and to what extent the amounts have not already been refunded. In this respect it should be noted that the actions to recover these taxes would be brought by the States and not by the taxpayers. The department would receive little or no assistance from the taxpayers and not only this department but the Supreme Court of the United States would be burdened with the tremendous task of ascertaining what amounts, if any, should be paid back.

I am of the opinion, therefore, in view of the reasons set forth above, that it would be highly inadvisable to grant permission to the States to sue at this late date for the recovery of taxes collected so long since.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

Mr. ROBINSON of Arkansas. Mr. President—

Mr. WILLIS. I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. With reference to the statement of the Senator from Ohio that it would be difficult for the department to ascertain the amounts of taxes paid which would be involved in these suits, is it not true that the burden of proof would devolve upon the plaintiff to establish that amount by a preponderance of the evidence?

Mr. WILLIS. Unquestionably so.

Mr. ROBINSON of Arkansas. And if the plaintiff fails to do it, the suit could not be sustained.

Mr. WILLIS. But, as the Senator recognizes, with the lapse of years the Government is deprived of very much of the evidence which it otherwise would be enabled to present. It places the Government in a most unfavorable situation.

Mr. BRUCE, Mr. CARAWAY, and Mr. STEPHENS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. WILLIS. I will yield to the Senator from Mississippi.

Mr. STEPHENS. I ask unanimous consent that the Senator from Ohio may be allowed to proceed for 10 minutes.

Mr. ROBINSON of Arkansas. I call attention to the fact that the order under which the Senate is proceeding does not involve the five-minute rule at all. The Senate is proceeding to the consideration of unobjected bills on the calendar and unless objection is made a reasonable opportunity ought to be afforded for discussion.

Mr. WILLIS. I understood that we were proceeding under the five-minute rule. I only desire to use two or three minutes more.

Mr. BRUCE. As I understand it, the Senator from Ohio objected to the consideration of the bill.

Mr. WILLIS. No; I said to the Senator that I have objected to the joint resolution four or five different times, but I thought the Senator from Mississippi was entitled to an opportunity to have it considered on its merits, so I did not object. I wanted to state the reasons why I am opposed to the measure.

Mr. WADSWORTH. Mr. President, will the Senator permit me to make an observation?

Mr. WILLIS. Certainly.

Mr. WADSWORTH. This is a Senate joint resolution. It seems to me at this stage of the session, which will close on March 4 at 12 o'clock, it is quite idle for us to hope that it will pass the House. I object.

The PRESIDENT pro tempore. On objection the joint resolution will go over.

Mr. WILLIS. I ask unanimous consent to insert in the RECORD at this point a letter from the Attorney General bearing on the same subject.

The PRESIDENT pro tempore. Without objection it is so ordered.

The letter referred to is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., December 24, 1924.

HON. ALBERT B. CUMMINS,
Chairman of the Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I beg to acknowledge receipt of Senate Joint Resolution 138. While the policy of such legislation is for the exclusive determination of Congress, yet, as you invite my opinion, it seems to me that the resolution should be reported by your committee with a negative recommendation. The claims in question, both by law and morals, seem to have been outlawed half a century ago, and I can see no reason why new life should be injected into them; and in any event, it seems to me remarkable that if a suit is to be authorized in the matter of such claims that it should be expressly provided that the United States in advance waives all its defenses except the single question of constitutionality.

Respectfully,

HARLAN F. STONE,
Attorney General.

Mr. STEPHENS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. STEPHENS. It occurs to me that the joint resolution has been read, it has been discussed, and the time for objection has passed.

The PRESIDENT pro tempore. Under the rule, objection may be entered at any time.

Mr. STEPHENS. Let me say just a word to the Senator from New York, if I may. It is true that the session will end within a few days, but that is no good reason for failing to consider this matter. Efforts have been made from time to time to get consideration for it; and we can conclude the matter and get to a vote in 10 minutes. I wish the Senator would withhold his objection.

Mr. WADSWORTH. If I were at all confident that this measure could be acted upon finally by the Senate in 10 minutes, I would not object; but it is perfectly apparent now that there is going to be considerable discussion about this measure, which appears to be one of considerable importance; and I am trying to protect the other bills on the calendar that have a right to go through without objection.

Mr. STEPHENS. But I am willing to put it to a vote at this moment.

Mr. KING. No; I want to be heard.

The PRESIDENT pro tempore. There are several amendments to be disposed of.

Mr. STEPHENS. But those things will not take long. I do hope my friend the Senator from New York will give us 15 or 20 minutes to discuss this matter; and then, if we can

not get rid of it, we will pass to something else; but I feel that I am entitled to have some hearing for the matter.

Mr. WADSWORTH. The trouble is that 15 or 20 minutes devoted to this measure means the death of 15 or 20 other measures to which no one objects.

Mr. STEPHENS. Of course, Mr. President, it could be the death of everything else on the calendar, so far as that goes. Objections could be made to everything. It does not seem to me exactly fair to fail to give a few moments to the consideration of this matter and to reach a vote on it. I am quite sure that we can get through with it in 15 or 20 minutes.

I ask unanimous consent to vote on this measure at 8.30 o'clock.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. That gives no opportunity for discussion.

Mr. STEPHENS. It gives the Senator from Utah 10 minutes if he wants it.

Mr. KING. There are others who wish to be heard.

The PRESIDENT pro tempore. Objection is made.

Mr. KING. I do not object to its consideration.

The PRESIDENT pro tempore. The Chair does not understand that the Senator from New York has withdrawn his objection.

Mr. STEPHENS. I hope the Senator will withdraw his objection, so that we may have a few minutes on the bill.

Mr. WADSWORTH. I am perfectly willing to withdraw my objection to the extent that the consideration of the joint resolution does not proceed beyond 8.30; but that is a rather disorderly procedure.

Mr. STEPHENS. I would not want the Senator from Utah to occupy all the time and prevent a vote from being taken. I am perfectly willing that he shall speak from now until 8.30, the time to vote, and not say a word on the merits of the proposition myself.

The PRESIDENT pro tempore. The Secretary will state the amendments.

Mr. KING. Mr. President, there are some amendments that have to be offered, and it is not a question of talking. Here is a measure involving at least \$300,000,000. I am not objecting to its consideration, but I do think there ought to be some chance for presenting some amendments and making some observations.

Mr. STEPHENS. When we say a vote, we mean, of course, taking it up for the purpose of voting on amendments to the joint resolution itself.

The PRESIDENT pro tempore. Does the Chair understand the Senator from Utah to object?

Mr. KING. I do not object to its consideration, Mr. President.

The PRESIDENT pro tempore. The proposal of the Senator from Mississippi, as understood by the Chair, was that the joint resolution should be voted upon at 8.30.

Mr. STEPHENS. That we begin voting on the amendments at that time.

Mr. REED of Pennsylvania. I ask that the joint resolution may go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

BILLS PASSED OVER

The bill (S. 4207) to amend and strengthen the national prohibition act and the act of November 23, 1921, supplemental thereto, and for other purposes, was announced as next in order.

Mr. BAYARD. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 455) to amend the practice and procedure in Federal courts, and for other purposes, was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 477) to give the Supreme Court of the United States authority to make and publish rules in common law actions was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (H. R. 9269) to amend paragraph 2 of section 7 of the farm loan act was announced as next in order.

Mr. FLETCHER. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 9694) authorizing the erection of a monument in France to commemorate the valiant services of the Ninety-third Division of the American Expeditionary Forces was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

Mr. WADSWORTH. Mr. President, I hope the Senator from Pennsylvania will be willing to withdraw that objection.

Mr. REED of Pennsylvania. No, Mr. President; I am not willing.

Mr. WADSWORTH. That being the case, I will sit down. The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

The bill (S. 3099) to cede certain lands in the State of Oregon, including Diamond Lake, to the State of Oregon for fish-cultural purposes, and for other purposes, was announced as next in order.

Mr. NYE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4043) to permit the sale of small or inaccessible tracts of public grazing lands was announced as next in order.

SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF PORTO RICAN CIVIL GOVERNMENT ACT

The bill (S. 4247) to amend and reenact sections 3, 20, 31, 33, and 38 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," as amended by an act approved June 7, 1924, and for the insertion of two new sections in said act between sections 5 and 6 and sections 41 and 42 of said act, to be designated as "5a" and "41a" of said act, was announced as next in order.

Mr. McKELLAR. Let that go over.

Mr. WILLIS. Mr. President, I desire to make a very brief statement about the bill. It is not the bill that some Senators think it is. This has no relation to the Philippine situation at all. It contains several provisions that are very much needed by the Government of Porto Rico. It has been given the most thorough consideration by the Committee on Territories and Insular Possessions, and the Delegate from Porto Rico, Judge DAVILA, is very much in favor of it. I think it would be a mistake to pass by this bill without acting upon it, and I hope the Senator who objected will withdraw his objection.

Mr. McKELLAR. Mr. President, I objected and I will withdraw the objection. I understand that the bill is a proper one.

Mr. WILLIS. I thank the Senator.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories and Insular Possessions with amendments.

The PRESIDENT pro tempore. The amendments of the committee will be stated in their order.

The first amendment was, in section 1, page 2, line 11, after the word "credit," to strike out "Provided, however, That no public indebtedness of Porto Rico or of any subdivision or municipality thereof shall be authorized or allowed in excess of 10 per cent of the aggregate tax valuation of its property, and all bonds issued by the government of Porto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the government of Porto Rico or of any political or municipal subdivision thereof, or by any State, or by any county, municipality, or other municipal subdivision of any State or Territory of the United States, or by the District of Columbia. In computing the indebtedness of the people of Porto Rico municipal bonds for the payment of interest and principal of which the good faith of the people of Porto Rico is pledged and bonds issued by the people of Porto Rico secured by an equivalent amount of bonds of municipal corporations or school boards of Porto Rico shall not be counted," and to insert: "Provided, however, That no public indebtedness of Porto Rico shall be allowed in excess of 10 per cent of the aggregate tax valuation of its property, and no public indebtedness of any subdivision or municipality of Porto Rico shall hereafter be allowed in excess of 5 per cent of the aggregate tax valuation of the property in any such subdivision or municipality, and all bonds issued by the government of Porto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the government of Porto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Porto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Porto Rico has heretofore been pledged and bonds issued by the people of Porto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Porto Rico shall not be counted, but all bonds hereafter issued by any municipality or subdivision within the 5 per cent hereby authorized for which the good faith of the people of Porto Rico is pledged shall be counted," so as to make the section read:

Be it enacted, etc., That section 3 of an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," ap-

provid March 2, 1917, as amended by an act approved February 3, 1921, be, and the same is hereby, amended to read as follows:

"Sec. 3. That no export duties shall be levied or collected on exports from Porto Rico, but taxes and assessments on property, income taxes, internal revenue, and license fees, and royalties for franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by the Legislature of Porto Rico; and when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Porto Rico or any municipal government therein as may be provided by law, and to protect the public credit: *Provided, however,* That no public indebtedness of Porto Rico shall be allowed in excess of 10 per cent of the aggregate tax valuation of its property, and no public indebtedness of any subdivision or municipality of Porto Rico shall hereafter be allowed in excess of 5 per cent of the aggregate tax valuation of the property in any such subdivision or municipality, and all bonds issued by the government of Porto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the government of Porto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Porto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Porto Rico has heretofore been pledged and bonds issued by the people of Porto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Porto Rico shall not be counted, but all bonds hereafter issued by any municipality or subdivision within the 5 per cent hereby authorized for which the good faith of the people of Porto Rico is pledged shall be counted.

"*And it is further provided,* That the internal-revenue taxes levied by the Legislature of Porto Rico in pursuance of the authority granted by this act on articles, goods, wares, or merchandise may be levied and collected as such legislature may direct, on the articles subject to said tax, as soon as the same are manufactured, sold, used, or brought into the island: *Provided,* That no discrimination be made between the articles imported from the United States or foreign countries and similar articles produced or manufactured in Porto Rico. The officials of the Customs and Postal Services of the United States are hereby directed to assist the appropriate officials of the Porto Rican government in the collection of these taxes."

Mr. BINGHAM. Mr. President, at the request of the Delegate from Porto Rico, I desire to offer an amendment to the amendment. After the word "Porto Rico," on line 3, page 3, I move to add the words "and the municipalities of San Juan and Ponce."

Mr. WILLIS. I hope that amendment will be agreed to.

The amendment to the amendment was agreed to.

Mr. BINGHAM. And on page 3, line 5, at the suggestion of the Delegate from Porto Rico, after the word "any," I move to add "other."

Mr. WILLIS. That amendment is satisfactory and ought to be adopted.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Ohio and the Senator from Connecticut whether it is expected that a committee of the House is to visit Porto Rico after the present Congress adjourns?

Mr. BINGHAM. I understand that the Committee on Insular Affairs of the House, or a majority of the members of the House committee, are planning to go to Porto Rico immediately after Congress adjourns.

Mr. WILLIS. But there is no legislation authorizing any action of that sort. It is thoroughly unofficial.

Mr. BINGHAM. I understand that they are going down there on their own responsibility.

Mr. WADSWORTH. Is it not wise for us to wait until they have visited the island?

Mr. WILLIS. I think generally that would be true, and yet I assure the Senator from New York that the committee has given this subject the fullest attention. A delegation of citizens was here from Porto Rico. We heard them at great length, and the former Senator from Massachusetts [Mr. Butler] gave this matter a great deal of study, as other members of the committee did; and I am sure that the people of Porto Rico are in favor of this legislation. I have not any doubt about it.

Mr. BINGHAM. I am informed by the Delegate from Porto Rico, who is a member of the Insular Affairs Committee of the House, and is going down with them, that his committee are not opposing this legislation, and if it is passed will make every effort to get it through the House.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in section 2, page 4, line 18, after the words "Sec. 5a," to strike out "That citizens of the United States who shall reside in the island for one year shall also be citizens of Porto Rico: *Provided,* That persons born in Porto Rico of alien parents, referred to in the last paragraph of said section, who did not avail themselves of the privilege granted to them of becoming" and to insert "That all citizens of the United States who have resided or who shall hereafter reside in the island for one year shall be citizens of Porto Rico: *Provided,* That persons born in Porto Rico of alien parents, referred to in the last paragraph of section 5, who did not avail themselves of the privilege granted to them of becoming"; and on page 5, line 8, after the word "may," to insert "within one year after the passage of this act," so as to make the section read:

SEC. 2. That a new section is hereby inserted between sections 5 and 6 of the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, as amended, as follows:

"Sec. 5a. That all citizens of the United States who have resided or who shall hereafter reside in the island for one year shall be citizens of Porto Rico: *Provided,* That persons born in Porto Rico of alien parents, referred to in the last paragraph of section 5, who did not avail themselves of the privilege granted to them of becoming citizens of the United States, shall have a period of one year from the approval of this act to make the declaration provided for in the aforesaid section: *And provided further,* That persons who elected to retain the political status of citizens of Porto Rico may within one year after the passage of this act become citizens of the United States upon the same terms and in the same manner as is provided for the naturalization of native Porto Ricans born of foreign parents."

The amendment was agreed to.

The next amendment was, in section 3, page 6, line 3, after the word "examine," to insert "adjust, decide," and in line 4, after the word "accounts," to insert "and claims," so as to make the section read:

SEC. 3. That section 20 of the said act be, and the same is hereby, amended to read as follows:

"Sec. 20. That there shall be appointed by the President an auditor, at an annual salary of \$6,000, for a term of four years and until his successor is appointed and qualified. There shall be an assistant auditor and such other necessary assistants and employees as may be prescribed by law. The auditor shall appoint the assistant auditor. In case of the absence from duty, from any cause, of the auditor, the assistant auditor shall exercise all the powers and perform all the duties of the auditor during such absence; and in case of the absence from duty, from any cause, of both the auditor and the assistant auditor, the Governor of Porto Rico shall designate an assistant who shall have charge of the office.

"The auditor shall examine, adjust, decide, audit, and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of Porto Rico and of the municipal funds derived from bond issues; and he shall examine, audit, and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to or held in trust by the government of Porto Rico or the municipalities or dependencies thereof. He shall perform a like duty with respect to all government branches.

"The auditor shall keep the general accounts of the government, be the custodian of and preserve the vouchers pertaining thereto. The jurisdiction of the auditor over accounts, whether of funds or property, and all vouchers and records pertaining thereto, shall be exclusive. It shall be the duty of the auditor to bring to the attention of the proper administrative officer expenditures of funds or property which, in his opinion, are extravagant, excessive, unnecessary, or irregular.

"The decisions of the auditor shall be final, except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year in the manner hereinafter prescribed. The auditor shall, except as hereinafter provided, have like authority as that conferred by the law upon the Comptroller General of the United States, and is authorized to communicate directly with any person having claims before him for settlement, or with any department, officer, or person having official relation with his office.

"The auditor, with the approval of the governor, shall from time to time make and promulgate general or special rules and regulations not inconsistent with law covering the methods of accounting for public funds and property, and funds and property held in trust by the government or any of its branches: *Provided,* That any officer accountable for public funds or property may require such additional reports or returns from his subordinates or others as he may deem necessary for his own information and protection.

"In the execution of his duties the auditor is authorized to summon witnesses, administer oaths, and to take evidence, and, in the

pursuance of these provisions, may issue subpoenas and enforce the attendance of witnesses, and compel witnesses to produce books, letters, documents, papers, records, and all other articles deemed essential to a full understanding of the matter under investigation.

"As soon after the close of each fiscal year as the account of said year may be examined and adjusted, the auditor shall submit to the governor an annual report of the fiscal concern of the government, showing the receipts and disbursements of the various departments and bureaus of the government and of the various municipalities, and make such other reports as may be required of him by the governor or the head of the executive department of the Government of the United States to be designated by the President as herein provided.

"The office of the auditor shall be under the general supervision of the governor."

The amendment was agreed to.

The next amendment was, in section 6, line 9, after the word "associated," to strike out "commissioners" and insert "commissioners,"; and in line 25, after the word "Senate," to strike out "for a term of four years and until their successors shall be appointed and shall have qualified" and to insert: "The public service commissioner shall be appointed for a term of three years and until his successor shall be appointed and shall have qualified, and one of the said associated commissioners, first appointed, shall hold for a term of two years and one shall hold for a term of one year; and thereafter each of said associate commissioners shall hold for a term of three years and until their successors shall have been appointed and shall have qualified," so as to make sections 4, 5, and 6 read:

SEC. 4. That section 31 of the said Act be, and the same is hereby, amended to read as follows:

"SEC. 31. That members of the Senate and House of Representatives of Porto Rico shall receive compensation at the rate of \$7 per day for the number of days of each regular session and of each special session while in session, and mileage for each regular session and each special session at the rate of 10 cents per kilometer for each kilometer actually and necessarily traveled in going from their place of residence in their legislative districts to the capital and returning therefrom to their place of residence in their legislative districts by the usual routes of travel: *Provided*, That mileage for only one trip in going to and from each regular session and each special session shall be allowed: *And provided further*, That the members of the Senate and House of Representatives of Porto Rico shall not be entitled to nor receive any emoluments, remuneration, compensation, or payment for services or expenses other than the \$7 per day compensation for services and 10 cents per kilometer for travel expense in this section authorized."

SEC. 5. That section 33 of the said act be, and the same is hereby, amended to read as follows:

"SEC. 33. That regular sessions of the legislature shall be held annually, convening on the second Monday in February of each year and closing not later than April 15 following; the governor may call special sessions of the legislature or of the senate at any time when in his opinion the public interests may require it, but no special session shall continue longer than 14 calendar days, and no legislation shall be considered at such session other than that specified in the call therefor or in any special message by the governor to the legislature while in such session."

SEC. 6. That section 38 of the said act be, and the same is hereby, amended to read as follows:

"SEC. 38. That all grants of franchises, rights, privileges, and concessions of a public or quasi public nature shall be made by a public service commission consisting of a public service commissioner, who shall be the president of the said commission, and two associated commissioners, to be appointed by the governor with the advice and consent of the senate. The public service commissioner shall be appointed for a term of three years and until his successor shall be appointed and shall have qualified, and one of the said associated commissioners, first appointed, shall hold for a term of two years and one shall hold for a term of one year; and thereafter each of said associate commissioners shall hold for a term of three years and until their successors shall have been appointed and shall have qualified: *Provided*, That the present elective members of the said commission shall continue to be members of said commission until their term of office expires as now provided by law and shall form the commission, together with the three members appointed by the governor as aforesaid, until the expiration of such period of their services and not thereafter. The salary of the commissioner shall be \$6,000 a year, and the said commissioner shall devote his entire time to his duties as such commissioner. The compensation of the associated members, both those elected and appointed, shall be \$10 for each day's attendance at the sessions of the commission; but in no case shall they receive more than \$1,000 during any one year. The said commission is empowered and directed to discharge all the executive functions relating to public-service corporations heretofore conferred by law upon the executive council and such additional duties and functions as may be conferred upon said commission by the legislature. Franchises, rights, and privileges granted

by the said commission shall not be effective until approved by the governor and shall be reported to Congress, which hereby reserves the power to annul or modify the same.

"The interstate commerce act and the several amendments made or to be made thereto, the safety appliance acts and the several amendments made or to be made thereto, and the act of Congress entitled 'An act to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities,' approved March 1, 1913, shall not apply to Porto Rico.

"The legislative assembly of Porto Rico is hereby authorized to enact laws relating to the regulation of the rates, tariffs, and service of all public carriers in Porto Rico, and the public service commission hereby created shall have power to enforce such laws under appropriate regulation."

The amendment was agreed to.

Mr. BINGHAM. Mr. President, at the request of the Delegate from Porto Rico I desire to add another amendment on page 11, after line 20, as a new section. I send it to the desk and ask to have it read.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. BINGHAM. I will say for the information of the Senate that the first paragraph of the new section is now in the law; and the second paragraph merely makes the general statutes of the United States apply to Porto Rico, so far as securing injunctions against the payment of taxes is concerned. In other words, the general statutes now do not apply to Porto Rico in this regard, but apply only to the United States.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. After line 20, on page 11, it is proposed to add a new section, as follows:

SEC. —. That section 48 of said act be, and the same is hereby, amended to read as follows:

"SEC. 48. That the supreme and district courts of Porto Rico and the respective judges thereof may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the district courts of the United States, and the district courts may grant writs of mandamus in all proper cases.

"That no suit for the purpose of restraining the assessment or collection of any tax imposed by the laws of Porto Rico shall be maintained in the district court of the United States for Porto Rico."

Mr. WADSWORTH. Mr. President, that would seem like a rather important amendment, especially the last sentence.

Mr. McKELLAR. May it be read again?

The PRESIDENT pro tempore. The amendment will be restated.

The CHIEF CLERK. It is proposed to add, after line 20, page 11, the following:

That section 48 of the said act be, and the same is hereby, amended to read as follows:

"SEC. 48. That the supreme court and district courts of Porto Rico and the respective judges thereof may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the district courts of the United States, and the district courts may grant writs of mandamus in all proper cases—

Mr. BINGHAM. That is now the law. There is no change in that.

The CHIEF CLERK (continuing):

"That no suit for the purpose of restraining the assessment or collection of any tax imposed by the laws of Porto Rico shall be maintained in the district court of the United States for Porto Rico."

Mr. ROBINSON of Arkansas. Mr. President, what is the change in the existing law?

Mr. BINGHAM. In answer to the question of the Senator from Arkansas, I will state that the change in the existing law is this: The organic act of Porto Rico did not carry to Porto Rico the general statutes of the United States.

Consequently, it has been possible and has proved an extremely dangerous thing in the government of Porto Rico for taxpayers to secure an injunction against paying Porto Rican taxes in the court of the United States, in the district court of the United States for Porto Rico; and thereby, instead of following our practice—which is to pay the tax first and then take an appeal—they do not pay the tax at all. They get injunctions against paying the tax; and I have seen in one of the publications the statement that at one time there was over \$2,000,000 of uncollected taxes held up by injunction. This amendment is to apply the same rule in Porto Rico that now applies on the continent of the United States.

Mr. WADSWORTH. May I ask the Senator from Connecticut, is this amendment perhaps the result of a decision or a series of decisions of the circuit court of appeals sitting at Boston?

Mr. BINGHAM. No; it is caused by the fact that the district court of Porto Rico has repeatedly granted injunctions against the payment of taxes.

Mr. WADSWORTH. On the ground that they were illegally assessed?

Mr. BINGHAM. For one reason or another. The treasurer of Porto Rico has been unable to collect the taxes levied, as can be done in any other part of the United States. There the treasurer can collect, and then if there is any difficulty about it the matter is brought before a court; but under the present law, since the general statutes of the United States do not apply to Porto Rico, the taxpayer can get an injunction; and the taxes the collection of which was restrained by those injunctions amounted, at one time, to more than \$2,000,000.

Mr. WADSWORTH. Assuming that this amendment becomes law, what recourse has the taxpayer?

Mr. BINGHAM. The courts; the same that he has on the continent of the United States.

Mr. WADSWORTH. Which courts?

Mr. BINGHAM. The Porto Rican courts and the Federal court.

Mr. WADSWORTH. No; not the Federal court. That is the point. The Federal court is taken out of it.

Mr. BINGHAM. This is not a Federal tax. This is in regard to Porto Rican taxes.

Mr. SHORTRIDGE. Mr. President, if the Senator will yield, does the amendment deny to the courts their jurisdiction to grant an injunction as against illegal taxes?

Mr. BINGHAM. It will make the condition just the same as in the United States.

Mr. SHORTRIDGE. It, then, does give the court the jurisdiction to enjoin?

Mr. NORRIS. There is another provision, however. There is ample provision made, as I understand the law, for the return of taxes that are illegally paid.

Mr. BINGHAM. Oh, yes; there is no question about that.

Mr. NORRIS. But they can not get it by way of injunction.

Mr. SHORTRIDGE. In other words, they must pay under protest and then bring appropriate proceedings to recover?

Mr. BINGHAM. Yes; as in many of our States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend and reenact sections 3, 20, 31, 33, and 38 of the act of March 2, 1917, entitled 'An act to provide a civil government for Porto Rico, and for other purposes,' as amended by an act approved June 7, 1924, and for the insertion of a new section in said act between sections 5 and 6 of said act, to be designated as '5a' of said act."

REPEAL OF PULLMAN SURCHARGE

The bill (S. 1143) amending section 1 of the interstate commerce act was announced as next in order.

Mr. FESS. Let that go over.

Mr. ROBINSON of Arkansas. Mr. President, I inquire of the Senator from Ohio whether he would not be willing to withdraw his objections and let the Senate consider that bill? I desire to make just a brief statement of the ground of my suggestion.

Mr. FESS. I can not withdraw my objection. I shall be glad to have the Senator make the brief statement.

Mr. ROBINSON of Arkansas. The bill is what is known as the Pullman surcharge bill. An identical measure has passed the Senate twice before. I ask leave to insert in the RECORD the report of the committee on the bill. I do not care to take further time in discussing the measure unless the Senator from Ohio is willing to withdraw his objection.

Mr. FESS. I can not withdraw it.

The PRESIDENT pro tempore. Is there objection?

Mr. FESS. I object.

The PRESIDENT pro tempore. The bill will be passed over. The report, submitted by Mr. Fernald on the calendar day of June 8, 1926, is as follows:

[Report to accompany S. 1143]

The Committee on Interstate Commerce, to whom was referred the bill (S. 1143) amending section 1 of the interstate commerce act,

having duly considered the same, recommends that it do pass without amendment.

The purpose of this bill is to repeal the Pullman surcharge, which was a tax placed upon the traveling public during the war-time period. The Pullman surcharge was put into effect originally on June 10, 1918, by Director General of Railroads William G. McAdoo during the war period, and, like numerous other war measures and practices, ought not to be continued as a rate-making scheme in time of peace. The Senate has heretofore showed its disapproval of the Pullman surcharge on two occasions by passing legislation for its repeal.

The conditions of the railroads, generally, at the present time, as reflected in annual reports and statistics, show that the roads, particularly the class 1 roads, are on a sound footing and do not need the surcharge. The class 1 roads are those which receive the greater percentage of the surcharge revenues.

While it may be contended that the repeal of the Pullman surcharge will adversely affect the income of certain railroads which are not in the class 1 group, the answer is that the financial improvement of such roads should be adjusted by changes in freight rates rather than penalizing the traveling public by retention of war-time charges.

It is wrong in principle and economically unsound for certain railroads, not in the class 1 group, to place an excessive charge upon the Pullman passengers in order to bolster up income of such railroads from freight traffic, which freight traffic produces inadequate revenue.

It is known that proceedings are pending before the Interstate Commerce Commission to readjust freight rates. Such readjustment should be made upon the merits. It is clear that the Pullman passenger travel should not be penalized because of inadequate revenue of some railroads from freight-carrying income.

MISSISSIPPI RIVER BRIDGE AT LANSING, IOWA

The bill (H. R. 10857) granting the consent of Congress to the Interstate Bridge Co., of Lansing, Iowa, to construct a bridge across the Mississippi River at Lansing, was announced as next in order.

The PRESIDENT pro tempore. An amendment to this bill has heretofore been stated.

Mr. BINGHAM. Mr. President, has the bill been amended?

The PRESIDENT pro tempore. An amendment has been read, and is pending.

Mr. BINGHAM. I ask that it may go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. MAYFIELD. Mr. President, I ask the Senator not to object to that bill, but to let it pass.

Mr. BINGHAM. I object to the amendment.

Mr. BINGHAM subsequently said: Mr. President, I ask unanimous consent that we may return to House bill 10857, to which I objected a few moments ago under a misapprehension. I desire to withdraw my objection.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 11488) authorizing and directing the Secretary of the Interior to sell certain public lands to the Cabazon Water Co., issue patent therefor, and for other purposes, was announced as next in order.

Mr. BRATTON. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 4324) for the relief of the State of Oregon was announced as next in order.

Mr. FLETCHER. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 3847) to amend and clarify existing laws relating to the powers and duties of the auditor for Porto Rico and the auditor for the Philippine Islands was announced as next in order.

Mr. KING and Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 33) to amend the national prohibition act, as supplemented, in respect of the definition of intoxicating liquor, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 34) to amend the national prohibition act, as supplemented in respect to the issuance by physicians of prescriptions for intoxicating liquors, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 591) to amend the national prohibition act to provide for the manufacture, sale, and transportation of 4 per

cent beer under Federal supervision was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 3118) to amend the national prohibition act, as supplemented, in respect of the definition of intoxicating liquor was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 3891) to amend the national prohibition act, to provide for State local option, and for other purposes, was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The bill (S. 4203) to amend the national prohibition act, as supplemented, in respect of the manufacture of liquor without a permit was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over. The joint resolution (S. J. Res. 34) proposing an amendment of the eighteenth amendment to the Federal Constitution relating to intoxicating liquors was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 81) providing for a national referendum upon the modification of the national prohibition act was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 85) proposing an amendment of the eighteenth amendment to the Federal Constitution relating to intoxicating liquors was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The amendment intended to be proposed by Mr. EDGE to the bill (S. 34) to amend the national prohibition act, as supplemented, in respect to the issuance by physicians of prescriptions for intoxicating liquors, was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The amendment will be passed over.

The amendment intended to be proposed by Mr. BORAH to the joint resolution (S. J. Res. 81) providing for a national referendum on the modification of the national prohibition act was announced as next in order.

Mr. WADSWORTH and others. Let that go over.

The PRESIDENT pro tempore. The amendment will be passed over.

The amendments intended to be proposed by Mr. EDGE to the bill (S. 3118) to amend the national prohibition act, as supplemented, with respect to the definition of intoxicating liquor, was announced as next in order.

Mr. WADSWORTH and others. Let those go over.

The PRESIDENT pro tempore. The amendments will be passed over.

ABSENTEE SHAWNEE INDIAN LANDS IN OKLAHOMA

The bill (S. 4451) to authorize the payment of drainage assessments on Absentee Shawnee Indian lands in Oklahoma, and for other purposes, was announced as next in order.

Mr. BRUCE. Let that go over.

Mr. HARRELD. Mr. President, this not a prohibition bill, and I hope the objection will be withdrawn. It is rather an emergency measure. There are, I think, four Indian reservations that are obstructing the building of a drainage project.

Mr. BRUCE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Maryland?

Mr. HARRELD. I yield.

Mr. BRUCE. I just want to say that the old saying is that it is a fine thing to hunt a bear, but when the bear begins to hunt you it is not so fine.

Mr. HARRELD. This bill involves only four tracts of land, and they are standing in the way of a drainage proposition which is very beneficial to the Indian lands. I hope there will not be any objection. It is reimbursable out of the funds of the Indians.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments, in section 3, page 2, line

16, after the word "allotment," to insert "or in the event the restrictions against alienation shall be otherwise removed therefrom"; in line 21, after the word "fee," to insert "or other instrument"; and on page 3, after section 4, to insert a new section as follows:

SEC. 5. The word "allotments," as used in this act, shall be held to embrace any tract of land belonging to individual Indians and over which the Government has supervision or control, and the word "allottees" shall be construed to include the owner of any tract of land affected by this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to approve such assessments, together with maps showing right of way and definite location of proposed drainage ditch approximately 3 miles in length connecting Little River Drainage Ditch No. 1 in Pottawatomie County, Okla., with Little River Drainage Ditch No. 2 in Cleveland County, Okla., upon the allotments of certain Absentee Shawnee allottees, as in his opinion fairly represent the allottees' pro rata share of the construction cost of the ditch.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to pay the amount assessed against each of the allotments mentioned; and there is hereby authorized to be appropriated for such purpose, out of any money in the Treasury not otherwise appropriated, the sum of \$1,200, this amount to be reimbursable from the rentals of the allotments mentioned, not to exceed 50 per cent of the amount of rent received annually, or from any funds belonging to the allottees in interest, in the discretion of the Secretary of the Interior.

SEC. 3. That in the event any of the allottees affected hereby shall receive a patent in fee to his or her allotment, or in the event the restrictions against alienation shall be otherwise removed therefrom before the United States shall have been wholly reimbursed as herein provided, the amount remaining unpaid shall become a first lien on such allotment, and the fact of such lien shall be recited on the face of each patent in fee or other instrument issued and the amount of the lien set forth thereon, and the receipt of the Secretary of the Interior, or of the officer, agent, or employee duly authorized by him for that purpose, for the payment of the amount assessed against any allotment as herein provided shall, when duly recorded by the recorder of deeds in the county wherein the land is located, operate as a satisfaction of such lien.

SEC. 4. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

SEC. 5. The word "allotments," as used in this act, shall be held to embrace any tract of land belonging to individual Indians and over which the Government has supervision or control, and the word "allottees" shall be construed to include the owner of any tract of land affected by this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 9055) to regulate the practice of chiropractic; to create a board of chiropractic examiners of the District of Columbia, and to punish persons violating the provisions thereof was announced as next in order.

Mr. WADSWORTH. Let that go over.

The bill (H. R. 8835) to amend section 1112 of the Code of Law for the District of Columbia was announced as next in order.

Mr. KING. Let the bill be read.

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1043) to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation was announced as next in order.

Mr. BINGHAM. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1079) to provide seamen on American vessels with a continuous discharge book; to provide for improved efficiency and discipline, and for other purposes, was announced as next in order.

Mr. LA FOLLETTE. The bill might just as well go over. It is too late in the session to do anything with it.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 207) authorizing an investigation of the existing strike of engineers and firemen on the Western Maryland Railroad was announced as next in order.

Mr. FESS. Let that go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The resolution (S. Res. 268) disqualifying Senators elect from holding a seat in the Senate who have expended more than \$10,000, or more than the amount (in no event exceeding \$25,000) obtained by multiplying 3 cents by the total number of votes cast for all the candidates for the office of United States Senator at the last general election in the State of the residence of such Senator elect was announced as next in order.

Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The resolution will be passed over.

ALLEN NICHOLS

The bill (S. 4380) for the relief of Allen Nichols was announced as next in order.

Mr. KING. Let that be reported.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Allen Nichols, formerly of Company L, Second Regiment West Virginia Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said regiment on the 10th day of April, 1899: *Provided,* That no back pay, bounty, pension, or allowance shall accrue prior to or by reason of the passage of this act.

Mr. KING. Let that go over.

Mr. NEELY. Mr. President, will not the Senator withhold his objection?

Mr. KING. I withhold the objection.

Mr. NEELY. Mr. President, I thank the able Senator from Utah for his kindness in granting my request. I now invoke the parliamentary assistance and the Republican influence of the distinguished senior Senator from New York [Mr. WADSWORTH] on the ground that, inasmuch as he and I are the only surviving "buck privates" of the Spanish-American War who are Members of the Senate, it becomes our joint duty to promote the welfare of our comrades in all matters properly pending in this body. I am greatly obliged to the Senator from New York for indicating, by "coming to attention" and saluting, that he will lend me his aid.

Mr. President, this is an unusually meritorious case. The facts are, briefly, as follows: The beneficiary of this bill enlisted in the Spanish-American War to fight. He took the matter seriously, and did fight. He broke a beer bottle over the head of an insolent and disorderly soldier of another regiment. He was court-martialed and convicted of this misdemeanor and sentenced to be dishonorably discharged from the service.

One of the officers who composed the court-martial was a Regular Army officer, serving at the time under a volunteer's commission. Therefore, under the seventy-seventh Article of War and the decisions of the Supreme Court of the United States in the cases of *McClaghry* against *Deming* and *Brown* against the United States (206 U. S. 240) the court-martial was without jurisdiction of this or any other case, and its sentence was a nullity. Comrade Nichols was then falsely charged with desertion. I beg my good friend, the Senator from Utah to hear me read the evidence of the commanding officer of the company in which this very worthy soldier was enlisted, as to the latter charge. Capt. D. U. O'Brien testified to the point as follows:

The said O'Brien was the captain commanding Company L, Second West Virginia Volunteer Infantry, during the Spanish-American War in the years 1898 and 1899, and that he personally had charge of the company during the period in which said Allen Nichols stands charged with desertion in the year 1899, and that the said Allen Nichols, who was a member of his company, was never a deserter from the company or the Army; that it may be true that he was absent from roll call occasionally, as were many members of the company, a few days prior to muster out of service, as they were often detailed on certain work and the first sergeant of the company was afflicted and often unable for duty, and often made reports to me which I afterwards found inaccurate; but if the said Nichols was ever absent without leave during the portion of the year 1899 from January 1 to the date of muster out on April 10, during which period I am informed that he stands charged with desertion upon the records of the War Department, such record is evidently incorrect, as the said Nichols was reported during this period as being present or accounted for, and that he left the city of Greenville, S. C., where we were in camp on the date of muster out of service in company with various other members of my company, and came to his home in West Virginia. Affiant further states that the said Allen Nichols was one of his trusty soldiers, to whom he sometimes granted privilege of absence on account of his devotion to duty on all occasions when called upon to render any service, and was then and is now a man of excellent character, and

deserving of every consideration from the Government for honest and faithful service during the period of his enlistment.

There is a great deal more evidence similar to the foregoing but I shall not burden the Senate by reading it.

Mr. KING. I would like to ask the Senator from West Virginia whether an examination of the record will reveal the fact that Allen Nichols was not a deserter.

Mr. NEELY. Yes. The record proves that he was not.

Mr. KING. The report which I have before me states that he was guilty of desertion, and upon that I made my objection. Does the War Department now recommend the passage of the bill?

Mr. NEELY. The evidence shows, Mr. President, that the soldier never was a deserter, that he was always present or accounted for, and that he was one of the best soldiers in the Army. I hope the Senator from Utah will not humiliate the other "buck private," Senator WADSWORTH, and me by objecting to the passage of this worthy measure.

As members of the ancient and honorable order of "Royal Buck Privates," Senator WADSWORTH and I demand the immediate passage of this bill in order to relieve a fellow "buck." [Laughter.]

Mr. KING. Out of consideration to the distinguished "Royal Order of Bucks" I withdraw my objection.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUREAU OF CUSTOMS AND PROHIBITION

The bill (H. R. 10729) to create a bureau of customs and a bureau of prohibition in the Department of the Treasury was announced as next in order.

The PRESIDENT pro tempore. This bill is now the unfinished business of the Senate, under a cloture motion, and will be passed over.

CAMPAIGN CONTRIBUTIONS

Mr. NEELY. Mr. President, while I was escorting a platoon of my constituents to the gallery, the Senate inadvertently passed over Senate Resolution 268, which has been on the calendar since the day before the adjournment of the last session of Congress. Will the Senator who made the objection withdraw it for a moment?

The PRESIDENT pro tempore. Does the objecting Senator withhold his objection to permit the Senator from West Virginia to make a statement?

Mr. WADSWORTH. The objection will be renewed.

Mr. BRUCE. I feel bound to ask that the resolution shall go over, if it is going to invite long discussion.

Mr. NEELY. Will my friend from Maryland, who is sponsoring the spoliation claims, indulge me for a moment? I do not believe that any Senator will want to speak long on the resolution, or object to its consideration, because the Member who filibustered it to death last year was defeated. He probably would have been elected if he had not opposed this corrupt practice measure, which is calculated to prevent the extravagant expenditure of money and the debauching of voters in senatorial primaries.

Mr. BRUCE. I have not objected.

The PRESIDENT pro tempore. Is the objection withheld?

Mr. NEELY. It is, Mr. President.

The PRESIDENT pro tempore. There was another objection.

Mr. WADSWORTH. The "Royal Order of Bucks" is not united on this question. [Laughter.]

The PRESIDENT pro tempore. Objection is made.

Mr. NEELY. Will not the Senator from New York withhold his objection until the resolution shall have been reported?

Mr. WADSWORTH. No.

Mr. EDGE. Regular order!

The PRESIDENT pro tempore. The Senator from New York insists on his objection.

Mr. NEELY. May I be permitted to say to the Senator from New York as Cæsar said to his friend who stabbed him, "Thou too, Brutus." [Laughter.]

CHINESE SUBJECTS IN THE UNITED STATES MILITARY ACADEMY

The joint resolution (S. J. Res. 111) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point two Chinese subjects, to be designated hereafter by the Government of China, was considered as in Committee of the Whole, and was read, as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit two Chinese subjects, to be designated hereafter by the Government of China, to receive instruction at the United States

Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Chinese subjects shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give their utmost efforts to accomplish the courses in the various departments of instruction, and that the said Chinese subjects shall not be admitted to the academy until they shall have passed the mental and physical examinations prescribed for candidates from the United States, and that they shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academy board: *And provided further*, That in the case of the said Chinese subjects the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 3665) for the relief of Thomas Spurrier, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 1129) for the relief of Giles Gordon, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

PAY OF WARRANT OFFICERS AND ENLISTED MEN

The bill (S. 4882) relative to pay of certain retired warrant officers and enlisted men and warrant officers and enlisted men of the reserve forces of the Army, Navy, Marine Corps, and the Coast Guard, fixed under the terms of the Panama Canal act, as amended, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That section 4 of the Panama Canal act, as amended, shall not be construed as requiring the deduction of the retired pay or allowances of any retired warrant officer or enlisted man of the Army, Navy, Marine Corps, or Coast Guard, or the training pay, retainer pay, or allowances of any warrant officer or enlisted man of the reserve forces of the Army, Navy, Marine Corps, or Coast Guard, from the amount of the salary or compensation provided by or fixed under the terms of the Panama Canal act, as amended.

Mr. KING. Reserving the right to object, I shall be glad to hear from the Senator from New Jersey.

Mr. EDGE. Mr. President, this bill applies only to the Panama Canal Zone, and affects, I believe, less than 20 men. It does not affect or contemplate officers; it simply provides that the enlisted men below the rank of warrant officers, at least, can retain their retired pay and still receive the pay allowed under the Panama Canal act for service there.

It is very difficult, I am informed by the Governor of the Panama Canal Zone, to get the type of men they require. The men who have been in the Army with the discipline of the Army meet the requirements better than the average citizen. It means a very few dollars extra per year, applying only to those few men there, and it does seem to me that the exception can well be made. I trust the Senator will withhold his objection.

Mr. KING. I would like to ask the chairman of the Committee on Military Affairs and the chairman of the Committee on Naval Affairs whether it has not been considered adverse to the best interests of the country to permit retired officers to draw their retired pay and to receive full pay in the service of the Government in civilian occupations. In other words, it encourages, it seems to me, double pay, or it amounts to double pay. Men are retired upon the presumption that they are not fitted for further labor, or at least for as valuable service that they would have rendered if they were younger. Now, after they are retired—of course, presumably their physical infirmities disqualify them for service—they get civilian employment and receive the same pay as other civilian employees engaged in the same character of work. So they are getting the retired pay and civilian pay.

Mr. EDGE. I call the attention of the Senator to the fact that this does not apply to officers at all, it applies only to enlisted men.

Mr. KING. The same principle applies.

Mr. EDGE. It is not so much the question of retired pay as it is of some special allowances that enlisted men have earned during their service. The Government wants to retain these men, men who have had Army discipline, and have remained in Panama after they have gone out of the Army, and they can only retain them if they have this pittance of the Government allowed them. Otherwise they leave the Government service.

Mr. KING. Does it extend to any other individuals?

Mr. EDGE. It extends to only 12 or 15 enlisted men who have served on the Canal Zone for years and who remained there in this particular line of work.

Mr. KING. I shall not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF JUDICIAL CODE

The bill (H. R. 6252) amending section 52 of the Judicial Code was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 52 of the Judicial Code be, and the same is hereby, amended by adding thereto the following:

"And upon the filing of a bill in the Supreme Court of the District of Columbia wherein remedy is sought under section 4915 or section 4918 of the Revised Statutes, without seeking other remedy, if it shall appear that there is an adverse party residing in a foreign country, or adverse parties residing in a plurality of districts not embraced within the same State, the court shall have jurisdiction thereof and writs shall, unless the adverse party or parties voluntarily make appearance, be issued against all of the adverse parties with the force and effect and in the manner set forth in this section; provided that writs issued against parties residing in foreign countries pursuant to this section may be served by publication or otherwise as the court shall direct."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 4387) to amend the packers and stockyards act, 1921, was announced as next in order.

Mr. WADSWORTH. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

APPOINTMENT OF TRUSTEES AND COMMITTEES

The bill (H. R. 12217) relating to the appointment of trustees and committees was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CODE OF DISTRICT OF COLUMBIA

The bill (H. R. 12218) amending sections 1125 and 1127, chapter 31, of the District of Columbia Code, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL DAY

The joint resolution (S. J. Res. 65) to provide for a National Agricultural day, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 6, to strike out the word "National," so as to read "designated as agricultural day."

The amendment was agreed to.

Mr. BINGHAM. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

JOHN FERRELL

The bill (H. R. 2229) for the relief of John Ferrell was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN MARGARET MANN

The bill (H. R. 5264) for the relief of Ann Margaret Mann was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL BARGE "CAD"

The bill (S. 3722) for the relief of the owner of the coal barge *Cad* was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment on page 2, strike out all of lines 7 and 8 and insert in lieu thereof the words "against the United States in favor of George M. Morrell Co. (Inc.), or against the George M. Morrell Co. (Inc.), in favor of the United States," so as to make the bill read:

Be it enacted, etc., That the claim of George M. Morrell Co. (Inc.), a corporation organized under the laws of the State of New Jersey, with its principal place of business in the city of New York, State of New York, owner of the coal barge *Cad*, against the United States for damages alleged to have been caused by collision between the U. S. Army transport *Sisaula*, operated by the Quartermaster Department of the United States Army, and said coal barge *Cad* on February 23,

1919, at Pier 9, Hoboken, N. J., resulting in the sinking of said coal barge *Cad*, may be submitted to the United States District Court for the Southern District of New York, under and in compliance with the rules of said court sitting as a court of admiralty, and said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree against the United States in favor of George M. Morrell Co. (Inc.), or against the George M. Morrell Co. (Inc.) in favor of the United States, on the same principles and measures of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice shall be given to the Attorney General of the United States as may be provided by the order of said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUREAU OF LABOR STATISTICS

The bill (H. R. 12263) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety, was announced as next in order.

Mr. KING. Mr. President, I was disposed to support that measure, but a number of persons have approached me this evening with some additional matters, and I shall ask that it go over now; and later upon receiving certain information, I shall ask to return to it.

Mr. SHORTRIDGE. Mr. President, I ask the Senator who objected to withhold his objection for a moment only. This bill passed the House after thorough consideration. It came to the Senate, and was very fully considered by the Senate committee. The Senate committee, with the full approval of the House committee and the author of the bill in the House, amended the measure, striking out a portion which seemed to be, or was, indeed, not favored, apparently, by the Senate committee.

This is a humane bill; it is an economic bill; it will save the employers and will save the employees, and altogether I think it is a meritorious measure.

The measure was reported by the Senate committee through the Senator from Michigan [Mr. COUZENS], and I am very earnestly in favor of this legislation. It will not add materially to the cost of government. The amount of suffering, the amount of loss, from a monetary standpoint, the number of accidents, the fatalities—all these things must appeal to us. They appealed to the House committee and to the House and to the Senate committee, and I think they should appeal to my friend from Connecticut.

Mr. BINGHAM. Mr. President, I appreciate the force of the appeal made by my friend from California, for whose opinion I have a very high regard; but the bill creates another Government bureau; it further centralizes the investigations which should be made by the several States themselves, and I regretfully ask that it go over.

Mr. COPELAND. Mr. President, I hope the Senator—

Mr. KING. Regular order!

The PRESIDENT pro tempore. Regular order is demanded.

Mr. COPELAND. I hope the Senator from Connecticut will withhold his objection for a moment.

Mr. KING. I object.

The PRESIDENT pro tempore. Objection is renewed by the Senator from Utah, and the bill will be passed over.

CONGRESS OF MILITARY MEDICINE AND PHARMACY

The joint resolution (H. J. Res. 328) to provide for the expenses of the delegates of the United States to the Congress of Military Medicine and Pharmacy to be held at Warsaw, Poland, was announced as next in order.

Mr. OVERMAN. Over.

Mr. SWANSON. Who objected to House Joint Resolution 328?

The PRESIDENT pro tempore. The Senator from North Carolina objected.

Mr. SWANSON. I hope the Senator will withhold his objection. It provides for an expenditure of only \$5,000. The meeting is to be held at Warsaw, Poland, and we have been invited by the Government of Poland to participate in that conference.

Mr. OVERMAN. We abolished all such junketing trips 10 years ago, and now they seem to be coming back into favor, one after another, sending people to Europe at Government expense.

The PRESIDENT pro tempore. The joint resolution will be passed over.

PAN AMERICAN CONFERENCE ON HIGHWAYS

The joint resolution (H. J. Res. 329) to provide for the expenses for participation by the United States in the second Pan American Conference on Highways, at Rio de Janeiro, was announced as next in order.

Mr. KING. Over.

Mr. BRUCE. I hope the objection will be withdrawn. Those highways conferences have subserved very good purposes.

The PRESIDENT pro tempore. The joint resolution will be passed over.

Mr. OVERMAN. Oh, Mr. President, we abolished these junketing trips years ago, and here they are coming back, one after another, asking to be sent to Europe at the Government's expense. I object.

The PRESIDENT pro tempore. The Senator from North Carolina maintains his objection. The joint resolution will be passed over and the clerk will state the next bill on the calendar.

Mr. PHIPPS. I will ask the Senator to withhold his objection for a moment.

Mr. KING. I indorse the remarks which the Senator from North Carolina [Mr. OVERMAN] just made.

The PRESIDENT pro tempore. The Senator from Utah maintains his objection. The clerk will report the next order of business.

PAN AMERICAN SANITARY CONFERENCE

The joint resolution (H. J. Res. 330) to provide for the expenses of delegates of the United States to the Eighth Pan American Sanitary Conference to be held at Lima, Peru, was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

AMERICAN INTERNATIONAL INSTITUTE

The joint resolution (H. J. Res. 331) to provide for the membership of the United States in the American International Institute for the Protection of Childhood was announced as next in order.

Mr. KING. Over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

Mr. SWANSON. Mr. President, I hope the Senator will withhold his objection. The effort is to accept invitations extended by governments for us to send delegates to these important conferences. We extend invitations to other nations to attend conferences of ours. It is only a matter of \$5,000. It is not a junket, but a proposition to send experienced expert men from the departments.

Mr. COPELAND. Over.

Mr. SWANSON. I have never been on a junket.

The PRESIDENT pro tempore. The objection is maintained. The regular order will be followed. The clerk will state the next order of business.

REGULATION OF PRACTICE OF ARCHITECTURE

The bill (S. 4875) to amend an act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia, approved December 13, 1924, and for other purposes," was announced as next in order.

Mr. KING. Mr. President, I would like to have the chairman of the Committee on the District of Columbia inform me if some of the amendments which were suggested to the bill during the hearings before the committee were approved by the committee.

Mr. CAPPER. They were, and the bill was prepared by the Commissioners of the District of Columbia in cooperation with the architects of the city. Every architect in the city, so far as known, is favorable to it. The District Commissioners and the Citizens' Advisory Council also approve it. There is no objection offered from any source now, since the amendments were approved by the committee.

Mr. KING. The Senator knows there is a disposition to have every person who has any employment placed under the control of some board so that he has to get a license. Does this prohibit a man from drawing plans for his own building if he thinks he is wise or unwise enough to do it?

Mr. CAPPER. It does not. The law has been in operation for two years and the bill simply corrects some defects recommended by the District architect and the commissioners.

There being no objection, the bill was considered as in Committee of the Whole, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, on page 5, line 10, to strike out "alone," and insert in lieu thereof "alone."

The amendment was agreed to.

The next amendment of the Committee on the District of Columbia was, on page 7, to strike out line 19 and insert in lieu thereof:

Said petition to be presented to any justice of the court of,

So as to make the bill read:

Be it enacted, etc., That sections 14, 16, 19, 22, 24, 25, 26, 27, 28, 29, and 30 of the act entitled "An act to provide for the examination and registration of architects and to regulate the practice of architecture in the District of Columbia," approved December 13, 1924 (43 Stat. L. 714-718), be amended so that the same shall read as follows:

"SEC. 14. That, except as otherwise provided in this act, any person wishing to practice architecture in the District of Columbia under the title of architect shall, before being entitled to be or be known as an architect, secure from such board a certificate of qualifications to practice under the title of architect, as provided in this act."

"SEC. 16. That no person who was engaged in the practice of architecture in the District of Columbia on December 13, 1924, shall use or assume any title indicating that he or she is an architect, or any words, letters, or figures to indicate that the person using them is an architect, unless he or she shall have qualified and obtained a certificate of registration as an architect, or unless he or she shall, before September 1, 1927, file with said board an affidavit establishing to the satisfaction of said board the fact that he or she was in practice as an architect in said District on and prior to December 13, 1924. Nothing herein contained shall be construed to prevent any person who was engaged in the practice of architecture in said District on and prior to December 13, 1924, from applying to said board at any time for examination under this act. No firm shall be entitled to the style or designation 'architect' or 'registered architect' unless and until every member thereof shall be entitled to such designation. A corporation whose principal business, as shown by its charter, is the practice of architecture, may apply for and obtain a certificate of registration, provided all its executive officers and directors are registered architects. The same exemptions shall apply to partnerships and corporations as apply to individuals under this act."

"SEC. 19. That any properly qualified person who shall have been actually engaged in the practice of architecture in the District of Columbia on December 13, 1924, may be granted a certificate of registration without examination on condition that the applicant shall submit satisfactory evidence to the said board that he is qualified to practice architecture and by payment to the board of the fee required for certificate of registration as prescribed in section 23 of this act: *Provided*, That nothing in this act shall prevent any person who was actually engaged in the practice of architecture under the title of architect prior to December 13, 1924, from continuing the practice of said profession without a certificate of registration and without the use in any form of the title 'registered architect' upon filing the affidavit required by section 16 of this act."

"SEC. 22. That an architect who has lawfully practiced architecture for a period more than 10 years outside of the District of Columbia shall, except as otherwise provided in subdivision (b) of section 21, be required to take only a practical examination, the nature of which shall be prescribed by the Board of Examiners and Registrars of Architects."

"SEC. 24. That all examination papers and other evidences of qualification submitted by each applicant shall be filed with the Board of Examiners and Registrars of Architects, and said board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of certificates of registration."

"The record shall also contain the name, known place of business and residence, and the date and number of the certificate of registration of every registered architect entitled to practice his profession in the District of Columbia."

"SEC. 25. That every registered architect in the District of Columbia, to continue the practice of his profession, shall annually, during the month of May, renew his certificate of registration and pay the renewal fee required by section 23 of this act."

"A person who fails to renew his certificate of registration during the month of May in each year may not thereafter renew his certificate except upon payment of the fee required by section 23 of this act for the restoration of an expired certificate of registration."

"Every renewal certificate shall expire on the 30th day of April following the issuance."

"SEC. 26. Exemptions. That the following shall be exempted from the requirements of this act: (1) Any person practicing or desiring to practice architecture in the District of Columbia who shall have made application to the board for registration as an architect and who shall have paid the fee provided for in section 23 of this act, such exemption to continue only until the board shall have denied such application; (2) any officer or employee of the United States or the District of Columbia practicing architecture in that capacity alone."

"SEC. 27. Revocation of certificate. That the board of examiners and registrars of architects may revoke any certificate after 30 days' notice, with grant of hearings to the holder thereof, if proof satisfactory to the board be presented, in the following cases:

"(a) In case it is shown that the certificate was obtained through fraud or misrepresentation."

"(b) In case the holder of the certificate has been found guilty by said board or by a court of justice of any fraud or deceit in his professional practice or has been convicted of a felony by a court of justice."

"(c) In case the holder of the certificate has been found guilty by said board of gross incompetency or of recklessness in the planning or construction of buildings."

"(d) In case a corporation holding a certificate of registration shall have as one of its executive officers or directors a person not a registered architect."

"SEC. 28. That the proceedings for the annulment of registration (that is, the revocation of a certificate) shall be begun by filing written charges against the accused with the board of examiners and registrars of architects by the board itself or by any complainant. A copy of the charges, together with a notice of the time and place of hearing, shall be served on the accused at least 30 calendar days in advance of such hearing, which shall be postponed if necessary to give the requisite notice. Where personal service can not be made within the District of Columbia service may be made by publication or personal service in accordance with such rules as the board may adopt, following generally and in principle the provisions of sections 105 as amended, 106 and 108 of the Code of Laws of the District of Columbia. At the hearing the accused shall have the right to be represented by counsel, introduce evidence, and examine and cross-examine witnesses. The secretary of the board is hereby empowered to administer oaths. The board shall make a written report of its findings, which report, with a transcript of the entire record of the proceeding, shall be filed with the Commissioners of the District of Columbia, and if the board's finding shall be adverse to the accused his or her certificate of registration shall stand revoked and annulled at the expiration of 30 days from the filing of such report, unless within said period of 30 days a writ of error shall be issued as hereinafter provided, in which event said certificate shall stand suspended until the final determination of the court of appeals upon such writ of error. If an exception is taken to any ruling of the board on matter of law, the exception shall be reduced to writing and stated in the bill of exceptions with so much of the evidence as may be material to the question or questions raised, and such bill of exceptions shall be settled by the board and signed by the secretary within such time as the rules of the board may prescribe. Any party aggrieved by the decision of the said board may seek a review thereof in the Court of Appeals of the District of Columbia by petition under oath, setting forth concisely, but clearly and distinctly, the nature of the proceeding before said board, the trial and determination thereof, and the particular ruling upon matter of law to which exception has been taken, said petition to be presented to any justice of the court of appeals within 30 days after the filing of the report of said board with the commissioners, with such notice to the board as may be required by the rules of the court of appeals. If the justices shall be of the opinion that the action of the board ought to be reviewed, a writ of error shall be issued from the court of appeals, within such time as may be prescribed by that court, a transcript of the record in the case sought to be reviewed, and the court of appeals shall review said record and affirm, reverse, or modify the judgment in accordance with law."

Section 29 of the said act of December 13, 1924, is repealed. A new section, to be numbered section 29, is hereby enacted, as follows: "The said board shall have power to require the attendance of persons and the production of books and papers and to require such persons to testify in any and all matters within its jurisdiction. The chairman and the secretary of the board shall have power to issue subpoenas, and upon the failure of any person to attend as a witness when duly subpoenaed or to produce documents when duly directed by said board, the board shall have power to refer the said matter to any justice of the Supreme Court of the District of Columbia, who may order the attendance of such witness or the production of such books and papers or require the said witness to testify, as the case may be; and upon the failure of the witness to attend, to testify, or to produce such books or papers, as the case may be, such witness may be punished for contempt of court as for failure to obey a subpoena issued or to testify in a case pending before said court."

"SEC. 30. That any person who shall use the title 'architect' or 'registered architect' or any other words, letter, or figures indicating or intending to imply that the person using the same is an architect or a registered architect, without having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$200, or by imprisonment for not more than one year, or both, prosecution therefor to be made in the name of the District of Columbia by the corporation counsel. Any person who shall make any willfully false oath or affirmation in any matter or proceeding required or permitted by this

act shall be deemed guilty of perjury and liable to the punishment therefor provided by the Code of Law for the District of Columbia."

SEC. 2. That nothing contained in this act shall be construed to affect the force and validity of any act of the board of examiners and registrars of architects performed prior to its passage. The act of December 13, 1924, and this act may be cited and known as the architects' registration act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDEBTEDNESS OF YUGOSLAVIA

The bill (S. 4190) to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes was announced as next in order.

Mr. FESS. Over.

Mr. REED of Pennsylvania. Mr. President, will the Senator withhold his objection for a moment?

Mr. FESS. Very well.

Mr. REED of Pennsylvania. This is the last pending debt settlement with foreign countries except the settlement with France. This bill was passed with practical unanimity in the House, and approved by our own Finance Committee.

Mr. FESS. I withdraw my objection.

Mr. REED of Pennsylvania. So far as I know there never has been objection or criticism made of it. It is a better settlement for us than was the settlement made with Italy, although the Kingdom of Yugoslavia, in the opinion of most students of public affairs, is less able to make such a settlement. She occupies one of the most poverty-stricken parts of the Balkans. Her country was ravished during the war and yet she has come forward and made a fair settlement with us of \$62,000,000.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield for a question?

Mr. REED of Pennsylvania. Certainly.

Mr. ROBINSON of Arkansas. What is the amount of indebtedness involved in the settlement?

Mr. REED of Pennsylvania. The total amount of the payments which we will receive is \$62,000,000. That amount includes \$51,000,000 of principal and \$11,800,000 of interest.

Mr. ROBINSON of Arkansas. Does the Senator think there would be an opportunity to consider the bill in the body at the other end of the Capitol during this session?

Mr. REED of Pennsylvania. It has already passed the House.

Mr. ROBINSON of Arkansas. But this is a Senate bill.

Mr. REED of Pennsylvania. There is also on the calendar a House bill which is an exact duplicate of this bill.

Mr. ROBINSON of Arkansas. But we are considering the Senate bill.

Mr. REED of Pennsylvania. I should ask to have the substitution made.

Mr. ROBINSON of Arkansas. Very well.

Mr. FLETCHER. Mr. President, may I ask the Senator about what proportion of the indebtedness this settlement would pay?

Mr. REED of Pennsylvania. It depends entirely on the rate of interest at which we fix the present value. If we fix it at 4.25 per cent, the present value of the \$95,000,000 of payments to be made under the settlement is about 32 per cent of the value of the debt funded. If we amortize it at 3 per cent, it comes to approximately 59 per cent of the present amount of the debt.

With the permission of the Senate, I will ask to substitute the House bill.

The PRESIDENT pro tempore. Will the Senator from Pennsylvania permit the Chair to state that there is no information at the desk indicating that a House bill favorably reported to the Senate upon the subject is here?

Mr. ROBINSON of Arkansas. I suggest that the matter be passed over for the present.

Mr. REED of Pennsylvania. I know that the Finance Committee authorized a report of the House bill, and if on our calendar a Senate bill is the only one appearing, it is a clerical error.

The PRESIDENT pro tempore. That being the case and the bill not being reported to the Secretary's office or through any regular procedure, the Chair suggests that the Senator from Pennsylvania could move to discharge the committee.

Mr. McKELLAR. I object.

Mr. REED of Pennsylvania. I ask that I may be permitted to take up the matter again after a few minutes. I will consult the clerk of the Finance Committee and get the proper bill. I

have authority to report it to the Senate. I ask that the bill may go over for the present.

Mr. HOWELL. I ask that it may go over until to-morrow.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 10735) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

LESTER P. BARLOW

The bill (H. R. 10178) to confer authority on the Court of Claims to hear and determine the claim of Lester P. Barlow against the United States was announced as next in order.

Mr. KING. Let the bill be read.

The PRESIDENT pro tempore. The bill will be read.

The Chief Clerk proceeded to read the bill.

Mr. BRUCE. Mr. President, I would like to hear some explanation of the bill.

Mr. OVERMAN. Does it provide for the rendering of judgment?

The PRESIDENT pro tempore. The bill has not yet been read in full.

Mr. OVERMAN. If it provides for rendering judgment I shall object.

The PRESIDENT pro tempore. Will Senators permit the clerk to complete the reading of the bill?

The Chief Clerk concluded the reading of the bill.

Mr. HOWELL. Mr. President, I would ask if judgment may be rendered for the United States under the bill?

The PRESIDENT pro tempore. The language at the end of the bill is "may be applied as a set-off and deducted from any judgment which the Court of Claims may render in favor of said Lester P. Barlow."

Mr. HOWELL. Let the bill go over.

Mr. MEANS. Mr. President, if I may be permitted to explain it, under the general law or under a special law, Barlow could bring his action without authority, except that in this particular case it appeared in the record that at one time he had made an assignment. Therefore, to give him a privilege which exists to all others under the present law, it is necessary that some such bill be enacted into law. It would give him a privilege that exists in all similar cases. I have no interest except that that is the purpose of the bill and it is no different from the privilege anyone else has where the Government takes over a patent right.

Mr. KING. I ask that the bill may go over.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). The bill will be passed over.

NORWEGIAN SAILING VESSEL "DERWENT"

The bill (H. R. 7973) to provide American registry for the Norwegian sailing vessel *Derwent* was announced as next in order.

Mr. COUZENS. Let the bill go over.

Mr. ROBINSON of Arkansas. Mr. President, the Senator from South Carolina [Mr. SMITH] who is ill asked me to look after this bill for him, he being interested in it.

It appears that the Norwegian sailing vessel was purchased at a cost of \$10,250 and repaired at a cost of \$12,500, and that the Customs Service was badly in need of an additional barge. The purchasers, before completing their contract for acquisition of the vessel, were advised by the customs officials at Charleston that in all probability there would be no difficulty about securing registry. They found, however, after they had purchased the vessel and made the repairs, that they could not obtain American registry for it. The bill is to permit them to have that privilege.

Mr. MOSES. Mr. President, I shall have to object.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WILLIS. Mr. President, I ask that the committee report on the bill be printed in the RECORD, inasmuch as it is reported without recommendation and the report sets forth the facts.

The PRESIDING OFFICER. Without objection, the report will be printed in the RECORD.

The report is as follows:

[S. Rept. No. 1350, 69th Cong., 2d sess.]

NORWEGIAN SAILING VESSEL "DERWENT"

Mr. WILLIS, from the Committee on Commerce, submitted the following report to accompany H. R. 7973:

The Committee on Commerce, to whom was referred the bill (H. R. 7973) to provide American registry for the Norwegian sailing vessel *Derwent*, having considered the same, report it back without recommendation.

This action is had because of the unusual circumstances involved in this case and the feeling of the members of the committee that the judgment of the Senate ought to be taken on the case. The facts in this case are briefly as follows:

The Marine Contracting & Towing Co. is engaged at Charleston, S. C., in the towboat business. The company, because of demands of local business, became desirous of securing a tow barge. They conferred with various shipyards and ship sales agencies to locate such a tow barge, but were unable in any private yards or through any private agencies to find a boat suited to their needs.

It is to be noted, however, that they failed to communicate with the United States Shipping Board. As shipping people, the Marine Contracting & Towing Co. should have known that the Shipping Board had vessels that were particularly fitted, with small additional expenditure, for this type of service.

That the Shipping Board is opposed to the proposed legislation is indicated by the following communication to the chairman of the Committee on Commerce, together with copy of resolution adopted by the Shipping Board on February 18, 1926:

DECEMBER 17, 1926.

Hon. WESLEY L. JONES,

Chairman Committee on Commerce,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Your form letter dated December 16, 1926, to the chairman of the board, requesting information on H. R. 7973, a bill to provide American registry to the Norwegian sailing vessel *Derwent*, is before me for attention.

When the above-mentioned bill was pending before the Committee on Merchant Marine and Fisheries of the House, we submitted to that committee a resolution of the board, dated February 18, 1926, a copy of which is inclosed.

On April 13, 1926, we wrote you in reply to an inquiry you then made with respect to S. 2857, which bill also relates to the proposed transfer of registry of the Norwegian sailing vessel *Derwent* and inclosed with that letter a copy of the same resolution.

If we can serve you further in the matter, please advise us.

Very truly yours,

JOHN NICOLSON,

Counsel to Committee on Legislation.

The resolution adopted by the Shipping Board at a meeting on February 18, 1926, is as follows:

"Resolved, The United States Shipping Board is opposed to the passage of H. R. 7973, which bill has in view the enrollment of the vessel *Derwent* as a vessel of the United States not only because it believes the practice unwise to have private bills to cover measures which appropriately come within general laws, but also because this board has many vessels for sale of a type and kind and in condition usable in the service in which it is proposed the *Derwent* will be operated."

It is the feeling of the Shipping Board that the Marine Contracting & Towing Co. was not at all diligent in its effort to purchase a ship that could be registered according to existing law.

The company, failing in its effort to purchase a barge through private agencies, subsequently was advised that the Norwegian sailing vessel *Derwent* had been laid up in Charleston Harbor for repairs, and that it could with relatively small expense be put in condition for the service planned.

The *Derwent* was purchased for \$10,250. Repairs were made so as to put the vessel in shape for towing service; these repairs cost \$12,500.

The company went to customs officials of the port of Charleston and made inquiry as to whether the ship could be admitted to American registry. It is said these customs officials advised the Marine Contracting & Towing Co. that it would not be difficult to have the *Derwent* transferred to American registry. Depending upon this advice, the company purchased the *Derwent* and had the essential repairs made in an American shipyard, namely, the Charleston Dry Dock & Machine Co.

After repairs had been completed the company undertook to have the barge placed under American registry. This registry was very properly refused. Your committee feels that the purchasers of the barge were not at all justified in relying upon the statements of unnamed customs officials at Charleston; they might, with almost equal propriety, have consulted the postmaster at Charleston or some official of the Department of Agriculture. As shipping men they are chargeable with knowledge of the laws governing our coastwise trade. It seems peculiar that this firm conferred with so many private shipyards, as well as agencies, and yet failed to consult the only authority having full jurisdiction in the premises, namely, the Shipping Board.

Furthermore, it seems strange that in a matter of so much importance the company would have relied upon the statements of an official whose duty did not at all require him to give advice in such matters.

So far as its proceedings are concerned, it is believed the company is guilty of dereliction; it did not exercise proper care in securing advice as to procedure. It is but fair to add, however, that there is an element of equity in the case. An additional barge was undoubtedly needed in the coastwise service; the *Derwent* was at hand; repairs could be made cheaply and quickly. In the haste incident to the transaction the Marine Contracting & Towing Co. relied, without justification, upon the statement of a local official.

It is important, if favorable action shall be taken on this bill, that it shall be understood this action does not constitute a precedent. If it should be so considered, it would be exceedingly harmful and seriously detrimental to the well-recognized policy of giving encouragement to shipping built in American shipyards.

If every person interested in shipping is to understand that he may buy foreign ships, have them rebuilt and admitted to American registry by special act, it will be found that this practice is exceedingly harmful to American shipping, generally, and to American shipyards in particular.

As shown above, the Shipping Board is very much opposed to any such policy, as is evidenced in the resolution it has adopted regarding this particular bill. However, the Department of Commerce writes the chairman of the committee as follows:

DEPARTMENT OF COMMERCE,

Washington, December 18, 1926.

Hon. W. L. JONES,

Chairman Committee on Commerce,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I have received your letter of the 16th instant, attaching copy of H. R. 7973, a bill "to provide American registry for the Norwegian sailing vessel *Derwent*," with request that this department advise the committee as to its attitude on the legislation proposed in the said bill.

Application was made to this department to document this vessel after she had been converted into a barge for the coastwise service. Under the provisions of section 4132, Revised Statutes, as amended by section 5 of the Panama Canal act of 1912 and the act of August 18, 1914, it was not possible for this department to document the vessel as desired, inasmuch as she was foreign built.

The vessel will be of practically no value except in the coasting trade, and this department perceives no objection to the passage of the bill.

Yours faithfully,

HERBERT HOOVER,

Secretary of Commerce.

Your committee has presented all the facts in the case for the consideration of the Senate.

Mr. FLETCHER. Mr. President, the Senator from Arkansas has said that after this barge was purchased there was \$12,500 spent on it in an American shipyard to put it in condition to operate. It costs \$10,000. The sum of \$12,000 was expended in putting it in condition to work and it has actually been serving American commerce. Under these circumstances I think the bill ought to pass. The vessel ought to be given American registry.

Mr. COUZENS. I object. The committee reported the bill without recommendation.

The PRESIDING OFFICER. The bill will be passed over.

LESTER P. BARLOW

Mr. HOWELL. Mr. President, I ask unanimous consent that we may return to Calendar No. 1352, the bill (H. R. 10178) to confer authority on the Court of Claims to hear and determine the claim of Lester P. Barlow against the United States, to which I objected. I withdraw my objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? Without objection the Senate will return to the consideration of that bill.

Mr. BRUCE. Mr. President, I would like to have an explanation of the bill. I understood it was objected to by the Senator from Nebraska [Mr. HOWELL] and the Senator from Minnesota [Mr. SHIPSTEAD]. I object, unless some explanation is given. As I understand it, it waives the statute of limitations.

The PRESIDING OFFICER. Objection having been made—

Mr. BRUCE. I do not want to object if the Senator from Minnesota will make some satisfactory explanation.

Mr. SHIPSTEAD. Mr. President, I did not object. I rose to explain to the Senator from Nebraska what the bill was about. I happen to be familiar with it. He has withdrawn his objection.

Mr. BRUCE. I shall have to object. I will ask that the bill go over temporarily.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WALSH of Montana. Mr. President, I made some inquiries in connection with the bill; and I found there was

abundant reason for waiving the provisions of the statute of limitations.

Mr. BRUCE. I waive my objection.

Mr. WALSH of Montana. I want to call attention to an incongruity in the bill. The Senator from North Carolina [Mr. OVERMAN] inquired whether the Court of Claims was authorized to render judgment in the case. According to the bill, the Court of Claims is to make findings of law and the facts and report to Congress, as shown in lines 5, 6, and 7, but down at the bottom of the page it is provided that any claim by way of offset which the United States may have against the corporation may be pleaded and set off and deducted from any judgment which the Court of Claims may render in favor of said corporation.

Mr. OVERMAN. It seems to be an inconsistency.

Mr. WALSH of Montana. I suggest to the Senator that he modify it so that the Court of Claims shall find the facts and the law applicable to any claim of set-off. I do not think the bill ought to pass in its present form.

The PRESIDING OFFICER. Objection is made and the bill will be passed over. The clerk will state the next bill on the calendar.

BILL PASSED OVER

The bill (S. 5463) providing for the consolidation of the functions of the Department of Commerce relating to navigation, to establish load lines for American vessels, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CHARLES H. NIEHAUS

The bill (S. 4557) for the relief of Charles H. Niehaus, sculptor, for losses in connection with the Francis Scott Key Memorial at Baltimore, Md., was announced as next in order.

Mr. HOWELL. Let the bill go over.

Mr. EDGE. Mr. President, will the Senator withhold his objection for a moment?

Mr. HOWELL. Very well.

Mr. EDGE. It is a very meritorious bill, and I am sure there will be absolutely no objection if I may have two minutes to explain it.

It is in the nature of a compromise, passed upon by the entire Committee on Claims at a public hearing, to reimburse the designer of the Francis Scott Key Memorial at Baltimore. There is no question in the world to my mind, being a member of the committee, that Mr. Niehaus, the sculptor, is entitled to additional payment from the Government. The original bill, based upon his own outlay and income, called for a payment of some \$48,000. The committee, after carefully checking up all his expenses and taking into consideration the extra work he was asked to do by the Government, finally compromised on a figure of \$33,121. In that form and with that amendment the bill is reported by the entire Committee on Claims. I think the bill should receive the approval of the Senate.

The PRESIDING OFFICER. Objection has been made, and the bill will be passed over.

ROAD CONSTRUCTION

The bill (S. 4530) amending sections 11 and 21 of the Federal highway act, approved November 9, 1921, amending paragraph 4, section 4, of the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes," prescribing limitations on the payment of Federal funds in the construction of highways, and for other purposes, was announced as next in order.

Mr. BRUCE. Over.

Mr. PITTMAN. Mr. President, I hope the Senator will let me make a brief statement.

The PRESIDING OFFICER. Does the Senator from Maryland withdraw his objection?

Mr. BRUCE. I can not.

Mr. PITTMAN. Has the Senator read the bill?

Mr. BRUCE. I think I know what it is.

The PRESIDING OFFICER. The Clerk will report the next bill on the calendar.

Mr. PITTMAN. It is not the bill the Senator thinks it is. It provides that in a place where the population is only five people to the square mile and where over 25 per cent of the land is owned by the Government, if there is a stretch of 20 miles of interstate or international road to be constructed, and there is no one else to build it, the Government itself may build it.

Mr. BRUCE. It is one of those bills that matches a State appropriation with a Federal appropriation.

Mr. PITTMAN. Not in this case. It is quite the opposite.

Mr. BRUCE. It matches a Federal appropriation with a State appropriation.

Mr. PITTMAN. It is really for one stretch of road. There is one interstate road where for 20 miles no one would build the road. It is a 20-mile road in the northwest corner of Utah, where there is no taxable property. The Secretary of the Interior desires to build the road to fill that gap. The States on each side have built a road up to it, and this is to fill in the gap.

Mr. BRUCE. I will ask that it go over for a few moments so I can read the report, and then I may withdraw my objection.

Mr. ODDIE. Mr. President, may I ask the Senator from Maryland to bear with me for a moment, that I may make a brief statement regarding the bill?

In the first place, I have presented an amendment which is on the table, providing for striking out section 3 of the bill. In the next place, the bill affects the public-land States only in the first section, but there is a section in the bill which applies to the more populous States in the East, Middle West, and South. Every State highway department of the United States composing the American Association of State Highway Officials has indorsed this legislation and has requested that it be passed. The Bureau of Public Roads has requested that this legislation be passed. In the face of this situation, I ask the Senator from Maryland if he will not withdraw his objection?

The PRESIDING OFFICER. Does the Senator withdraw his objection?

Mr. BRUCE. I will ask the Senator to let the matter lie over for a few minutes until I can look into it.

The PRESIDING OFFICER. The bill will be temporarily passed over.

CONSTRUCTION OF RURAL POST ROADS

The bill (S. 4602) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That hereafter the shield or other insignia of the United States shall not be used as a highway marker, directional sign, or advertising medium on or along any road or highway in the United States, except where heretofore or hereafter so used by the highway departments of the several States acting individually or cooperatively through their organization, known as the American Association of State Highway Officials, and with the United States Department of Agriculture; and any person, firm, organization, corporation, or association who shall use or shall simulate and use the shield or other insignia of the United States as a highway marker, directional sign, or advertising medium, or who shall destroy, mutilate, deface, tear down, or remove any such highway marker or directional sign heretofore or hereafter erected by the highway department of any State, shall be deemed guilty of a misdemeanor and shall be punishable by a fine of not to exceed \$50 or by imprisonment for not more than 30 days, or both such fine and imprisonment, in the discretion of the court.

SEC. 2. That the paragraph of section 6 of the Federal highway act, approved November 9, 1921, which reads as follows: "Not more than 60 per cent of all Federal aid allotted to any State shall be expended upon the primary or interstate highways until provision has been made for the improvement of the entire system of such highways: *Provided*, That with the approval of any State highway department the Secretary of Agriculture may approve the expenditure of more than 60 per cent of the Federal aid apportioned to such State upon the primary or interstate highways in such State," is hereby repealed.

SEC. 3. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BRUCE subsequently said: I move that the vote whereby Senate bill 4602 was ordered to a third reading and passed be reconsidered. That bill went through while I was examining another bill dealing with the same situation.

Mr. ODDIE subsequently said: Mr. President, in regard to Senate bill 4602, the Senator from Maryland [Mr. BRUCE] asked for the reconsideration of the vote whereby the bill was ordered to a third reading and passed. I have just had an opportunity of discussing the matter with him, and I will ask him if he will withdraw that motion.

Mr. BRUCE. I do.

The PRESIDING OFFICER. The motion to reconsider is withdrawn, and the bill is passed.

BILL PASSED OVER

The bill (H. R. 15009) to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States for the ultimate return of all property of German nationals held by the Alien Property Custodian and for the equitable apportionment among all claimants of certain available funds was announced as next in order.

Mr. COUZENS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

PRODUCTION OF HELIUM GAS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15344) to amend the act entitled "An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, and for other purposes."

The PRESIDING OFFICER. This bill has been heretofore considered and amended.

Mr. KING. Mr. President, I invite the attention of the Senator from New York [Mr. WADSWORTH] to this so-called helium bill. Is that a measure the passage of which is desired by the War Department? The reason why I make the inquiry is that some time ago, as I recall, the War Department acquired, or the Government acquired at the expense of the War Department, a helium-gas well in Utah. Is it the plan by this bill to acquire further lands if the bill passes?

Mr. WADSWORTH. No.

Mr. KING. What is the purpose of the bill?

Mr. WADSWORTH. By Executive order the Bureau of Mines was transferred from the Department of the Interior to the Department of Commerce. Prior to the issuance of that Executive order the Congress passed an act turning over to the Bureau of Mines this job of developing helium gas, and in that act mentioned the Bureau of Mines as a subordinate division of the Department of the Interior. The Bureau of Mines having been transferred from the Interior Department to the Department of Commerce, this bill is for the purpose of correcting that designation.

Mr. OVERMAN. Mr. President, does this bill have anything to do with the million dollars that we appropriated for helium?

Mr. WADSWORTH. Not at all.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 8466) to amend section 8 of an act entitled "An act to incorporate the Howard University in the District of Columbia," approved March 2, 1867, was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

PROMOTION AND RETIREMENT IN THE ARMY

The bill (S. 5634) to increase the efficiency of the Military Establishment, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I will ask the Senator from New York whether that bill is all right.

Mr. JONES of Washington. Mr. President, I notice on the calendar that this bill is marked "original bill"; and it says further that it was "read twice and placed on the calendar." It has never gone to the committee at all.

Mr. WADSWORTH. This bill was prepared by the Committee on Military Affairs. Let me say just this about it, in a sentence or two: It is a bill of extraordinary importance.

Mr. JONES of Washington. I presume there is no doubt that it was prepared after the committee had investigated it?

Mr. WADSWORTH. Oh, yes. We had extensive hearings, and a subcommittee was appointed to study the question.

Mr. JONES of Washington. That is satisfactory.

Mr. WADSWORTH. It is a bill which revises the entire system of promotion in the Regular Army in an effort to get rid of what is known as the "hump" now existing upon the promotion list; the "hump," consisting, in turn, of 5,800 officers who were all appointed on July 1, 1920, mostly of the same age, and most of them in the same grade. The result is that for 25 years to come there will be such a condition of stagnation in the matter of promotion in the Regular Army that the military careers of most of the 5,800 will be utterly destroyed.

This bill represents the best opinion of the Military Affairs Committee as to the way to obviate that situation, absorb that

"hump," and establish a uniform and proper flow of promotion in the Regular Army among the officers. It is a bill of immense importance. I do not know whether or not the Senate will be willing to pass it under such a rule as we are operating under to-night. If I can not get a chance to-night to discuss it, I shall hope to get a chance some time between now and the 4th of March to tell the Senate something about it.

Mr. JONES of Washington. I am not objecting.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That commissioned officers on the active list of the Regular Army, exclusive of general officers of the line, of officers of the Medical Department, of chaplains, and of professors, shall hereafter be known as promotion-list officers, and the numbers of such promotion-list officers in each of the authorized grades shall, in lieu of the numbers heretofore authorized, be such numbers as result from the system of promotion hereinafter prescribed: *Provided*, That the aggregate number of officers of the Regular Army shall not exceed the number now or hereafter expressly authorized by law: *Provided further*, That the number of general officers of the line, of officers of the Medical Department, of chaplains, and of professors shall be such as are now or may hereafter be expressly authorized by law; and promotion to the grades of major general of the line and brigadier general of the line and promotion of officers of the Medical Department, of chaplains, and of professors shall continue to be made as now provided by law.

SEC. 2. Except as hereinafter provided, promotion-list officers below the grade of colonel shall be promoted to the grade of first lieutenant after 3 years' service, to the grade of captain after 10 years' service, to the grade of major after 17 years' service, to the grade of lieutenant colonel after 23 years' service, and to the grade of colonel after 28 years' service. For purposes of promotion, there shall be credited all commissioned service with which such officers have been or may be credited in determining their positions on the promotion list, except that officers originally appointed lieutenant colonels or majors as of July 1, 1920, shall be deemed to have the same length of service as the next preceding officer on the promotion list who was in the Regular Army or Philippine Scouts prior to July 1, 1920, and except that no officer originally appointed a captain or lieutenant after April 6, 1917, shall be considered to have less commissioned service than any officer originally below him on the promotion list. Any officer whose original position on the promotion list has been or may hereafter be changed by sentence of a general court-martial or by law shall be deemed to have the same commissioned service as the officer next below whom he has been or may be placed by such change. All promotion-list officers below the grade of colonel shall be promoted in the order of their standing upon the promotion list notwithstanding any other provisions of this act. The aggregate number of promotion-list officers in the grades of colonel, lieutenant colonel, and major shall not be less than 26 per cent nor more than 40 per cent of the total authorized number of promotion-list officers, and in so far as necessary to maintain said minimum of 26 per cent, officers of less than 17 years' service shall be promoted to the grade of major, and only in so far as their promotions will not cause said maximum of 40 per cent to be exceeded shall officers who have completed 17 years' service be promoted to the grade of major. No promotion-list officer shall be promoted to the grade of lieutenant colonel until he shall have served at least three years in the grade of major. The number of promotion-list officers in the grade of colonel shall not be less than 4 per cent nor more than 6 per cent of the total authorized number of promotion-list officers and, in so far as necessary to maintain said minimum of 4 per cent, officers of less than 28 years' service shall be promoted to the grade of colonel, and only in so far as their promotions will not cause said maximum of 6 per cent to be exceeded, shall officers who have completed 28 years' service be promoted to the grade of colonel.

SEC. 3. The fifth sentence of section 24b of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, be, and the same is hereby, amended to read as follows: "The record of such court of inquiry shall be forwarded to the final classification board for reconsideration of the case, and after such consideration the finding of said classification board shall be final and not subject to further revision."

SEC. 4. All prior statutory provisions for termination of active service of officers shall, except as otherwise provided in this act, continue in full force and effect and shall be administered as now provided by law.

During each fiscal year the President may, in his discretion, designate as supernumerary and discharge or retire upon their own applications promotion-list officers originally appointed to date from July 1, 1920, or prior thereto, the number so designated in any fiscal year not to exceed 1 per cent of the maximum number of promotion-list officers authorized by law during said fiscal year.

At such times as may be necessary, the President shall cause to be convened a board of five general officers, which board, from a consideration of all applications received, of the interests of the Army as a

whole, and of the branches thereof, shall recommend the officers to be designated as supernumerary and discharged or retired. Supernumerary officers shall be selected, first, from among officers who apply for discharge with a cash allowance and, second, from among officers who apply for transfer to the retired list. The board of general officers shall also recommend the officers who have served more than 30 years who, in the opinion of the board, should, in the interest of the Government, be retired from active service: *Provided*, That any officer eligible for retirement under existing law, upon his own application by reason of having served more than 30 years, may, upon recommendation of the board of general officers, be retired from active service, in the discretion of the President, without such application, and any officer who has served more than 40 years shall, if he makes application therefor, be retired: *Provided further*, That all retired officers of the Army shall hereafter be carried on one list designated as the "Regular Army retired list" and there shall be no subdivision into limited and unlimited retired lists.

SEC. 5. Officers designated as supernumerary, upon their own applications and pursuant to the recommendations of a board of general officers, shall be discharged or retired as follows: Those of less than 10 years of commissioned service shall be honorably discharged with a cash allowance of \$40 for each complete month of commissioned service; those of more than 10 years of commissioned service, who have applied for discharge, shall be honorably discharged with a cash allowance of \$40 for each complete month of commissioned service; those of more than 10 and less than 20 years of commissioned service who have applied for retirement shall be retired from active service with retired pay at the rate of 2.5 per cent of active pay for each complete year of service with which credited for pay purposes; those of 20 or more years of commissioned service who have applied for retirement shall be retired from active service with retired pay at the rate of 3 per cent of active pay for each complete year of service with which credited for pay purposes: *Provided*, That the retired pay of supernumerary officers retired under this act shall not be less than 50 per cent or more than 75 per cent of active pay at the time of retirement: *Provided further*, That any officer originally appointed as of July 1, 1920, at an age greater than 45 years, may, in lieu of retired pay as hereinbefore provided, receive retired pay at the rate of 4 per cent of active pay for each year of commissioned service as heretofore provided by law, whichever shall be the more favorable to him.

SEC. 6. Except as specifically herein provided, nothing in this act shall be held or construed to discharge any officer from the Regular Army or to deprive him of the commission which he holds therein.

SEC. 7. The provisions of this act shall be effective beginning July 1, 1927, and all laws and parts of laws which are inconsistent herewith or are in conflict with the provisions hereof are hereby repealed as of that date.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL HIGHWAY ACT

Mr. ODDIE. Mr. President, I ask permission to return to Senate bill 4530.

The PRESIDING OFFICER. Unanimous consent is requested that the Senate return to Senate bill 4530, Order of Business 1413.

Mr. PITTMAN. Is that the bill I was just discussing with the Senator from Maryland?

The PRESIDING OFFICER. The Chair will state to the Senator that it is the bill. Does the Senator from Maryland object?

Mr. BRUCE. I withdraw my objection.

Mr. ODDIE. I will ask that my amendment be considered.

Mr. KING. Is that the amendment I talked with the Senator about several weeks ago?

Mr. ODDIE. Yes; it is the one.

The Senate, as in Committee on the Whole, proceeded to consider the bill (S. 4530) amending sections 11 and 21 of the Federal highway act, approved November 9, 1921, amending paragraph 4, section 4, of the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes," prescribing limitations on the payment of Federal funds in the construction of highways, and for other purposes, which was read, as follows:

Be it enacted, etc., That section 11 of the Federal highway act, approved November 9, 1921 (42 Stat. L. p. 212), as amended or supplemented, be further amended by adding at the end of the second paragraph thereof the following:

"And provided further, That in the case of any State containing unappropriated public lands and nontaxable Indian lands, individual and tribal, exceeding 5 per cent of the total area of all lands in the State in which the population, as shown by the latest available Federal census, does not exceed 10 per square mile of area the share of the United States payable on account of any project which involves the con-

struction or reconstruction of any primary or interstate highway, or part thereof, or which involves the construction or reconstruction of any secondary or intercounty highway, or part thereof, which is a part of the Federal highway system of any such State and forms a necessary connecting link between a primary or interstate highway embraced in said system of such State and a primary or interstate highway embraced in said system of an adjoining State, may be increased by the Secretary of Agriculture upon request from the State highway department of such State, to any percentage up to and including the whole cost thereof, and all contracts for the construction or reconstruction of projects involving such increased Federal aid shall be subject to approval by the Secretary of Agriculture, but the aggregate of the Federal aid allotted on projects approved during any fiscal year for construction in any State shall not exceed the pro rata heretofore payable in such State under the provisions of this section."

SEC. 2. Paragraph 4, section 4, of the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1923, and for other purposes," approved June 19, 1922 (42d Stat. L. p. 660), prescribing limitations on the payments of Federal funds per mile which the Secretary may make, is hereby amended by adding at the end thereof a further proviso, as follows:

"And provided further, That the Secretary of Agriculture may make payments in excess of the above limitations per mile in the case of any project involving construction in mountainous, swampy, or flood lands, on which the average cost per mile for the grading and drainage structures other than bridges of more than 20 feet clear span will exceed \$10,000 per mile; and also in the case of any project which, by reason of density of population or character and volume of traffic, the State highway department and the Secretary of Agriculture may determine should be improved with a surface of greater width than 18 feet. In no event shall the payments of Federal funds on any project under this proviso exceed 50 per cent of the cost of the project, except as such payments are authorized to be increased in the public-land States."

SEC. 3. In apportioning appropriations hereafter authorized or appropriated for forest roads in accordance with the provisions of the second paragraph of clause (a) of section 23 of the Federal highway act of November 9, 1921, and acts amendatory thereof and supplemental thereto, no State entitled to share in such appropriations shall receive less than \$20,000 of each year's allotments.

SEC. 4. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 3, line 24, strike out all of section 3.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RANDOLPH FOSTER WILLIAMSON

The bill (H. R. 3378) for the relief of Randolph Foster Williamson, deceased, was considered as in Committee of the Whole.

Mr. KING. Mr. President, I should like to ask if this is a unanimous report of the committee. I ask the attention of the Senator from Arizona [Mr. CAMERON].

Mr. CAMERON. Yes; it is.

Mr. KING. What is the nature of the bill, briefly?

Mr. CAMERON. I will ask that the bill be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers or any branch thereof Randolph Foster Williamson shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company I, Tenth Regiment Indiana Volunteer Infantry: *Provided*, That no bounty, back pay, pension, or allowances shall accrue prior to the passage of this act.

Mr. KING. Do I understand that Mr. Williamson is dead?

Mr. CAMERON. I think he is dead.

Mr. KING. What relief can we give to a deceased man?

Mr. CAMERON. It will give relief to his widow and orphans, whoever they are. Does the Senator want me to read part of the report?

Mr. KING. Yes; I should be glad to have the Senator do so.

Mr. CAMERON (reading)—

The evidence on file with the committee submitted by the War Department and the accompanying evidence submitted by the claimant discloses the fact that Mr. Williamson enrolled September 18, 1861, as a private in Company I, Tenth Indiana Volunteer Infantry, to serve for three years, and served faithfully until September 20, 1863, when he was captured by the enemy at Chickamauga, Ga.

He was imprisoned at Florence, S. C., and in order to get out of prison he enlisted in the rebel service, and then he

was exchanged. It is simply one of those cases that we come up against in the committee occasionally. It has been favorably reported from the committee.

Mr. KING. I am not familiar with the circumstances, but I will not object, reserving the right to move to reconsider to-morrow.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PETER S. KELLY

The bill (S. 4729) for the relief of Peter S. Kelly was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Peter S. Kelly, who was a private in Company B, First Regiment Montana Volunteer Infantry, war with Spain, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 17th day of October, 1899. This act, however, shall not confer upon the said Peter S. Kelly any eligibility to apply for or receive a pension.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PER CAPITA PAYMENT FROM TRIBAL FUNDS OF OKLAHOMA INDIANS

The bill (S. 5200) to authorize a per capita payment from tribal funds to the Kiowa, Comanche, and Apache Indians of Oklahoma was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 8, after the word "Oklahoma," to strike out "being their share of the money derived from the south half of the Red River," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States \$200,000 of the trust fund created by Public Resolution No. 36, approved June 12, 1926 (44 Stat. L. p. 740), for the benefit of the Kiowa, Comanche, and Apache Indians of Oklahoma, and to distribute this sum, share and share alike, to all recognized members of said tribes living on the date of the approval of this act, under such rules and regulations as he may prescribe.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

The bill (S. 5302) to pension soldiers who were in the military service of the United States during the Indian wars and disturbances, and widows of such soldiers, and to increase the pensions of Indian war survivors and widows who are now pensioned, was announced as next in order.

Mr. NORBECK. Mr. President, since the Senate committee reported this bill favorably the House has passed the Indian veteran pension bill, a general bill making pension increases somewhat similar to those made by the Senate bill. To expedite the matter and get it before the Senate, I desire to move that the House bill be substituted for the Senate bill. The House bill is H. R. 12532, Order of Business 1625.

Mr. KING. Mr. President, will the Senator yield?

Mr. NORBECK. I do.

Mr. KING. Does the bill change the rates?

Mr. NORBECK. Yes; this bill will carry an increase the first year of about \$1,850,000. The Indian war veterans at this time have a maximum rate of about \$20 a month, and the widows about \$12. This applies only to the older people, because it applies to those who were in the service between 1859 and 1898.

Mr. KING. The Senator, perhaps, did not understand me. What is the difference between the House bill and the Senate bill? Is there any difference in the rates?

Mr. NORBECK. The House bill has a graduated rate based on age and disability. The Senate bill has a flat increase; but, according to the report, the House bill will carry less appropriation than would the Senate bill. It will involve less expense, and it will not take in quite as many people.

Mr. KING. The Senator thinks the House bill is fair, does he, under all the circumstances?

Mr. NORBECK. Yes; it is my opinion that the House bill is fair.

Mr. KING. And about what will be the increase, in the aggregate?

Mr. NORBECK. The report of Secretary Work says that the best estimate is \$1,850,000 for the first year; but these are old people, and they will drop off rapidly.

Mr. KING. I have no objection.

Mr. FLETCHER. Mr. President, I desire to make some further inquiry about this matter. I may object to the consideration of the bill, if necessary. I can not quite understand why the Senate should substitute the House bill for the Senate bill, in view of the reports.

In the first place, the report on Order of Business 1443, Senate bill 5302, states at the conclusion, on page 4, that the bill is not in conflict with the financial program of the President. That is as to the Senate bill. When we get to the House bill, I see the report says, on page 7, that the Director of the Budget advises that the bill is in conflict with the financial program of the President. Now, why substitute the House bill for the Senate bill?

Mr. NORBECK. I think the explanation lies in the fact that the report on the Senate bill was a later report, the bureau having changed its attitude on that matter in the meantime.

Mr. FLETCHER. Another thing. In both bills reference is made to granting pensions to certain soldiers who served in the Indian wars from 1859 to 1898. That does not cover all of the Indian wars. All of the Seminole Indian wars began before 1855. If we are going to take care of the pensioners of Indian wars, we ought to take care of them from the year 1817 down. There are only a few of those left, of course, but there are some cases where Indian wars took place prior to 1855, in 1837 and other years. If the Secretary is willing to change the figures so as to have it read "Indian wars from 1817 to 1898"—

Mr. KING. 1817?

Mr. FLETCHER. Yes; I mean from that time. There may not be any as far back as 1817, but to cover those from the dates mentioned in previous legislation. The report of the Secretary of the Interior shows that that has been the history of the legislation heretofore. The Army and Navy pensions given in this document at page 26, section 3, include certain Indian wars from 1817 to 1858. Now, I say, follow that in this bill; and if the Senator is willing to change the date "1859" and substitute "1817" in the title of the bill and throughout its provisions, I am willing to have the House bill substituted.

Mr. NORBECK. Let me ask the Senator how many additional names he estimates that will take in?

Mr. FLETCHER. I have no idea. I do not believe it is possible to include more than a hundred, anyhow. I do not believe there will be a hundred.

Mr. NORBECK. I am frank to say this is entirely new matter. There has been no bill before the committee that proposed to take care of these people. If there had been, the committee would have gone into the matter, I assure the Senator; but if the Senator insists on it, it will be all right with me. I wish he would not, though. I am afraid it will kill our legislation. We would rather have the Senate bill entirely out of the way so that we would not be caught in the jam at the end of the session.

Mr. FLETCHER. That will not happen, I am quite sure, because I took up the matter with the Secretary of the Interior, and he was rather inclined to believe that under section 4 of the bill these Seminole War veterans would be taken care of; but he said that as long as these dates are specified in the bill there was some doubt about it, and he would rather have it made plain.

Mr. NORBECK. I will accept the amendment with the understanding that I do not like to take the responsibility of getting in a position where we may find that the House may fail to agree to it.

Mr. FLETCHER. I think there is no possibility of that. I think it was intended. I think the department probably might construe the whole bill to include the Seminole War veterans, but I want it specifically understood.

Mr. NORBECK. I will accept the amendment.

Mr. FLETCHER. Very well. First, then, I am willing to substitute the House bill for the Senate bill.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent to substitute House bill 12532, Order of Business 1625, for Senate bill 5302, Order of Business 1443. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12532) granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes.

The PRESIDING OFFICER. The Chair understands that an amendment is offered by the Senator from Florida.

Mr. FLETCHER. Wherever the figures "1859" appear in the bill, I moved to substitute "1817."

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. On page 1, line 10, it is proposed to strike out "1859" and insert "1817."

Mr. KING. Mr. President—

Mr. FLETCHER. I yield to the Senator from Utah.

Mr. KING. I should like to ask the Senator whether his amendment would extend to all persons who rendered voluntary service in protecting their own homes against small, slight depredations, or does he include only those who were actually in the military service of the Government of the United States?

Mr. FLETCHER. I understand that it includes only those in the military service. That is my understanding. I think it is confined to those who were in the service. This amendment does not change the substance or effect of the legislation in any wise, except to have it include wars that took place prior to 1859.

Mr. KING. I should like to ask the Senator from South Dakota or the Senator from Florida what wars we have had in 1898, 1897, or thereabouts?

Mr. FLETCHER. Up to 1898.

Mr. KING. I do not recall any Indian wars in which there were any military services rendered, except perhaps by some Regular Army officers in Colorado, and some efforts to subdue a few Indians who might have left their reservations.

Mr. FLETCHER. I do not know of any as late as 1898.

Mr. PHIPPS. Information is given in the report. The last war reported is that of the Chippewa Indians in October, 1898. A list is given year by year as to when there were wars, and this would apply only to regularly registered members of some military company, as I understand the bill.

Mr. FLETCHER. These earlier wars were those of the Black Hawks, the Creek, and the Choctaw disturbances, and so fourth.

Mr. SWANSON. I suggest that Senators either object or consent that this bill may come up.

Mr. FLETCHER. It is up.

Mr. BLEASE. I object to the consideration of the bill.

The PRESIDENT pro tempore. The bill will go over.

Mr. FLETCHER. This is the only amendment that is offered to the bill.

Mr. BLEASE. It has been discussed for nearly half an hour. The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (S. 5144) to amend section 215 of the Criminal Code was announced as next in order.

Mr. BLEASE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WALSH of Montana. Will not the Senator from South Carolina withhold his objection until I can make a statement?

Mr. BLEASE. I have no objection to the Senator making his statement as to this bill, but it seems that if they want in California to indict a man who lives in New York, they have to go to New York to indict him. I do not believe in that kind of law. I have no objection, however, to the Senator making a statement.

Mr. WALSH of Montana. If the Senator is advised concerning the measure, I shall not make a statement.

The PRESIDENT pro tempore. The bill will be passed over.

RICHINGS J. SHAND

The bill (S. 5548) to credit the accounts of Richings J. Shand, United States property and disbursing officer, Illinois National Guard, was announced as next in order.

Mr. BRUCE. Over.

Mr. MEANS. Mr. President, may I ask the Senator making the objection if he has given specific attention to this bill?

Mr. BRUCE. I objected, but I will not press the objection, if the Senator wants to make an explanation.

The PRESIDENT pro tempore. The Senator withdraws his objection.

Mr. BRUCE. I withdraw the objection, to permit the Senator to explain.

Mr. KING. I gather from the report that there were irregular expenditures made by this individual.

Mr. MEANS. Mr. President, Shand is a disbursing officer in the State of Illinois for the United States Government. In performing the duties of his office he pays for whatever work may be done on armories throughout the State. In this particular instance the pay rolls for the upkeep of armories were made out and certified by the company commanders, went through the Adjutant General's office, and were certified and came to the Government disbursing officer, who paid them by check.

It developed that the officer himself was having the work done and was taking over the money unto himself; in other

words, it was embezzlement of Government funds. The officer has been indicted, and he is awaiting trial. The officials of the War Department recommended that so far as Shand is concerned he was without blame; but the accounting officer held that he should have paid in cash, as the law provides, instead of by check, notwithstanding that that has been the custom since 1915. He did pay by check, and there was no other system, and there was no fault on his part. The War Department approved it, and it is merely a loss to him, because he paid by check instead of going down and paying by cash.

Mr. KING. May I ask the Senator whether the defaulting officer was bonded; and if so, whether the Government has obtained payment from him for his defalcation?

Mr. MEANS. No. There is a question as to that. The officer in one case was bonded, and they are proceeding against the bond. In the other case, being a minor officer, he was not under bond. He should have been under bond, but he had employed somebody else to do the work, and then collected himself, and the pay rolls would come out in regular order so far as the disbursing officer was concerned, approved by the Adjutant General. There is no suspicion of dishonesty on the part of Shand.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and to insert:

That the Comptroller General is authorized and directed to allow credit in the accounts of Col. Richings J. Shand, United States property and disbursing officer for Illinois, for any disallowance required or made in his accounts as a result of an inspection made in certain units of the Illinois National Guard by the Inspector General of the Army, dated August 31, 1926, where payments were made in good faith by Colonel Shand.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LESTER P. BARLOW

Mr. MEANS. I ask unanimous consent that we return to Order of Business 1352, House bill 10178, to confer authority on the Court of Claims to hear and determine the claim of Lester P. Barlow against the United States.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. MEANS. I desire to offer an amendment to meet the objection made, to be inserted on page 2, line 10.

The PRESIDENT pro tempore. The amendment will be reported.

The CHIEF CLERK. On page 2, line 10, it is proposed to strike out the last additional proviso in lines 10 to 15 and insert the following:

Provided further, That the court shall further find and report the law and the facts touching any claim by way of offset that the United States may have against the Marlin Rockwell Corporation the right to plead which against any claim the said Lester P. Barlow may assert is hereby recognized.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF CRIMINAL CODE

Mr. WALSH of Montana. Mr. President, I am advised that the Senator who objected to the consideration of Senate bill 5144, to amend section 215 of the Criminal Code, will withdraw his objection, and I ask that we recur to that order of business.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5144) to amend section 215 of the Criminal Code, which was read, as follows:

Be it enacted, etc., That section 215 of the Criminal Code is hereby amended so as to read as follows:

"Whoever, having devised or intended to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, bank note, paper money, or any obligation or security of the United

States, or of any State, Territory, municipality, company, corporation, or person, or anything represented to be or intimated or held out to be such counterfeit or spurious article, or any scheme or artifice to obtain money by or through correspondence by what is commonly called the 'sawdust swindle,' or 'counterfeit-money fraud,' or by dealing or pretending to deal in what is commonly called 'green articles,' 'green coin,' 'green goods,' 'bills,' 'paper goods,' 'spurious Treasury notes,' 'United States goods,' 'green cigars,' or any other names or terms intended to be understood as relating to such counterfeit or spurious articles, shall, for the purpose of executing such scheme or artifice or attempting so to do, place, or cause to be placed, any letter, postal card, package, writing, circular, pamphlet, or advertisement, whether addressed to any person residing within or outside the United States, in any post office or station thereof, or street or other letter box of the United States, or authorized depository for mail matter, to be sent or delivered by the post-office establishment of the United States, or shall take or receive any such therefrom whether mailed within or without the United States, or shall knowingly cause to be delivered by mail (a) according to the direction thereon when mailed outside the United States or at a place to the grand jurors unknown, or (b) at the place to which it is directed to be delivered by the person to whom it is addressed any such letter, postal card, package, writing, circular, pamphlet, or advertisement shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

"Provided, That this act shall apply to indictments and prosecutions now pending in which there has been no trial-court decision in districts for knowingly causing to be delivered by mail according to the direction thereon any such matter, when the statute of limitations has not run in the district against having placed or caused to be placed in the post-office establishment any matter in the execution of any such scheme or artifice or attempting so to do."

Mr. JONES of Washington. Will the Senator state briefly what this bill does?

Mr. WALSH of Montana. I will state the only change it makes in the law. Under the existing law, in case of fraud committed through the mail, the party charged may be indicted either in the jurisdiction in which the letter was mailed or in the jurisdiction in which it was received. This changes the law so that he can be indicted only in the district in which the letter is mailed, unless the jury are unable to say in what jurisdiction it was mailed.

Mr. McKELLAR. I hope the bill will be passed. It ought to be passed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 5034) to amend the act entitled "An act authorizing investigations by the Secretary of the Interior and the Secretary of Commerce jointly to determine the location, extent, and mode of occurrence of potash deposits in the United States, and to conduct laboratory tests," approved June 25, 1926, was announced as next in order.

Mr. SHEPPARD. I ask that this bill may go over for the present without prejudice. A similar bill has passed the House I am informed, within the last half hour, and when it comes over to the Senate I shall then ask the Senate to consider it.

The PRESIDENT pro tempore. The bill will be passed over, temporarily.

FRIGATE "CONSTITUTION"

The bill (S. 5479) to authorize the Secretary of the Navy to dispose of certain parts of the frigate *Constitution*, to be used as souvenirs, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to give or to sell, under such regulations as he may prescribe, such parts or pieces, including rigging, of the frigate *Constitution*, as are suitable for use as relics, souvenirs, or mementos, and which can not profitably or advantageously be used in restoring this vessel to original condition, to clubs, associations, or individuals that have made or shall make donations or contributions for the preservation of the frigate *Constitution* referred to in the act approved March 4, 1925 (43 Stat. L. p. 1278): *Provided*, That the cost of converting the aforesaid material into relics, souvenirs, or mementos shall be charged against, and the proceeds of such sales shall be added to, the fund created by authority of said act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 2597. An act authorizing the President to appoint and retire certain persons first lieutenants in the Medical Corps, United States Army;

S. 5435. An act to provide for the widening of C Street NE., in the District of Columbia, and for other purposes;

S. 2322. An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes;

S. 5213. An act for the relief of the Lucy Webb Hayes National Training School for Deaconesses and Missionaries;

S. 5727. An act to authorize and direct the Secretary of War to accept an act of sale and a dedication of certain property in the city of New Orleans, La., from the Board of Commissioners of the Port of New Orleans, and for other purposes;

S. 5402. An act to amend the act entitled "An act to provide more effectively for the national defense by increasing the efficiency of Air Corps of the Army of the United States, and for other purposes," approved July 2, 1926;

S. 3888. An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes; and

S. 3403. An act to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913.

The message also announced that the House had passed the following bills of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 2081. An act placing certain noncommissioned officers in the first grade;

S. 2643. An act to provide for the cooperation of the United States in the erection in the city of Panama of a monument to Gen. Simon Bolivar; and

S. 4746. An act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton.

The message also announced that the House had passed the bill (S. 3889) to authorize the Railroad Commission of Texas and the Corporation Commission of Oklahoma to regulate tolls charged for transit over certain bridges across the Red River, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 17355. An act making appropriations for public-building projects; and

H. R. 17136. An act granting the consent of Congress to the Baton Rouge-Mississippi River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at Baton Rouge, La.

ELIZABETH LYNN

The bill (S. 3688) for the relief of Elizabeth Lynn, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with an amendment, on page 1, line 4, to strike out "\$5,000" and insert in lieu thereof "\$2,500," so as to make the bill read:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$2,500, which shall be paid by the Secretary of the Treasury to Elizabeth Lynn for all injuries and damages and moneys expended growing out of injuries and damages received by her on May 31, 1919, at Fourteenth and Oak Streets NW., Washington, D. C., and which were caused by the falling of a tree which was uprooted when struck by a United States Army automobile, United States No. 2055, driven by Ellis Vernon Lynch, colored, making necessary an operation and causing great mental and physical anguish.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUBTREASURY BUILDING IN SAN FRANCISCO

The bill (H. R. 14925) authorizing the sale of the new sub-treasury building and site in San Francisco, Calif., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAYMENTS TO GERMAN NATIONALS

The bill (S. 5638) providing for payment to the German Government of \$461.59 in behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby authorized to be paid to the German Government, out of any money in the Treasury not otherwise appropriated, the sum of \$461.59 for the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, who lost their lives while in the status of seamen in the American merchant marine; the above sum of \$461.59 having been covered into the general fund of the Treasury Department as required by the statutes relating to the disposition of effects and unpaid wages of deceased seamen on the American vessels.

Mr. KING. Mr. President, I would like to ask why this money is to be paid to the Government of Germany rather than to the heirs of the deceased.

Mr. BORAH. As I understand the facts, these German nationals were employed on American ships, and the money, under the statute, would be covered into the United States Treasury. The German Government has made a claim upon behalf of these nationals for the return of the amount of money paid into the Treasury.

Mr. KING. The heirs could not have recourse against the Government of the United States in the event Germany should fail to pay them?

Mr. BORAH. No; I think not.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF UNITED STATES CLAIMS

The bill (S. 4332) to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States, was considered as in Committee of the Whole.

Mr. FESS. There is on the desk a similar bill passed by the House, and I ask unanimous consent to substitute the House bill for the Senate bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15131) to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States, which was read, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized, in his discretion, to accept in full settlement from debtors of the United States the present value reckoned at the rate of 4½ per cent per annum simple interest of all noninterest-bearing obligations for the repayment of money advanced to said debtors to assist them in carrying out contracts with the United States entered into during the late war, such contracts having been executed by the Secretary of the Navy on behalf of the United States or by others acting under his authority.

Mr. KING. I would like to ask the Senator the necessity for this bill. We have passed four or five similar bills heretofore, and it was supposed that all of those war claims were taken care of.

Mr. FESS. This is not a claim. It is to permit the Government to settle at once.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 4332 will be indefinitely postponed.

JOSEPH JAMESON

The bill (S. 2788) for the relief of Joseph Jameson, was considered as in the Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Joseph Jameson, postmaster of Lorain, Ohio, in the sum of \$10,662.10, due the United States on account of public funds and property lost in the burglary of the post office on March 1, 1925.

Mr. KING. I would like to ask the Senator from Ohio [Mr. WILLIS], who introduced this bill, whether there was any negligence upon the part of the postmaster.

Mr. WILLIS. Not the slightest.

Mr. KING. Will not the Senator make an explanation?

Mr. WILLIS. A burglar came into the office at 11 o'clock at night, blew the safe, and it was such a safe as the law provided the postmaster should have there. There was absolutely no negligence.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSIAH OGDEN HOFFMAN

The bill (H. R. 10238) for the relief of Josiah Ogden Hoffman, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 10, to strike out "the service in time of war" and insert "active service in line of duty," so as to make the bill read:

Be it enacted, etc., That the President is authorized to appoint Josiah Ogden Hoffman, formerly Lieutenant commander in the United States Navy, a lieutenant commander in the United States Navy and place him upon the retired list of the Navy with the retired pay and allowance of that grade: *Provided*, That a duly constituted naval retiring board finds that the said Josiah Ogden Hoffman incurred physical disability incident to active service in line of duty: *Provided further*, That no back pay, allowances, or emoluments shall become due as a result of the passage of this act.

Mr. KING. Mr. President, will not the Senator make an explanation as to that bill?

Mr. REED of Pennsylvania. The facts in that case are very simple. Mr. Hoffman was a lieutenant commander in the Navy in command of a destroyer. In a storm he attempted to save the life of his chief torpedo man, who was, I understand, on the verge of being washed overboard, and afterwards was washed overboard. Lieutenant Commander Hoffman was struck between the eyes by a handle connected with one of the torpedo mechanisms, and subsequently, without realizing the extent of his disability, he resigned from the Navy. It was found almost immediately afterwards that the blow he had received had so injured the sinuses that a very severe operation was necessary.

If he had been examined for retirement at the time he resigned, he would unquestionably have been retired for disability. He suffered his injury in a brave attempt to save the life of one of his men, and what we are asked to do by this bill is to do no more than recognize the fact that existed at the time of his separation from the service. He would clearly have been entitled to retirement for disability had those facts been investigated at that time. This does not put him on the active list, but simply puts him on the retired list, to which he would have gone had he gone before a retiring board. I hope the Senate will see fit to pass the bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHARLES H. NIEHAUS

Mr. METCALF. Mr. President, I ask unanimous consent that we return to Order of Business 1405, Senate bill 4557, for the relief of Charles H. Niehaus, sculptor, for losses in connection with Francis Scott Key Memorial at Baltimore, Md.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, to strike out "\$48,759.90" and to insert "\$33,121," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$33,121 to Charles H. Niehaus, of Grantwood, N. J., to compensate the said Niehaus for losses suffered by him in the designing and erection by the said Niehaus of the Francis Scott Key Memorial at Fort McHenry, Baltimore, Md., under his contract with the United States, dated October 19, 1916, said memorial having been completed by the said Niehaus and accepted by the United States June 14, 1922.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNITED STATES FIDELITY & GUARANTY CO.

The bill (H. R. 11914) for the relief of the United States Fidelity & Guaranty Co. was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. SHUMATE

The bill (H. R. 3602) for the relief of Charles W. Shumate was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE ROYAL HOLLAND LLOYD

The bill (H. R. 8894) for the relief of the Royal Holland Lloyd, a Netherlands corporation, of Amsterdam, the Netherlands, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

D. MURRAY CUMMINGS

The bill (H. R. 10111) for the relief of D. Murray Cummings, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARZILLA WILLIAM BRAMBLE

The bill (S. 2886) for the relief of Barzilla William Bramble was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim against the United States of Barzilla William Bramble, a citizen of the State of Maryland, master and managing owner of the ram schooner *Cora Peake*, for damages alleged to have been caused by collision between the said schooner and the United States revenue cutter *Apache*, in the Chesapeake Bay, on the 2d day of August, 1919, may be sued for by Barzilla William Bramble in the United States District Court for the District of Maryland, sitting as a court of admiralty, and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such a suit and to enter a judgment or decree for the amount of damages, if any shall be found to be due against the United States in favor of the said Barzilla William Bramble, or against Barzilla William Bramble in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That such suit shall be brought and commenced within four months from the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DELMORE A. TELLER

The bill (H. R. 2320) for the relief of Delmore A. Teller, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRY C. FORD

The bill (S. 4739) for the relief of Harry C. Ford was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to credit the accounts of Harry C. Ford, formerly first lieutenant, Ordnance Department, United States Army, in the sum of \$259.50, the amount paid to him in 1918, while in France, as commutation of quarters, heat, and light, under the provisions of the act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918 (authorizing the payment of commutation of quarters, heat, and light to officers on duty in the field or on active duty without the territorial jurisdiction of the United States, on account of a wife, child, or dependent parent), which amount was disallowed in the audit of the accounts of said Harry C. Ford on the ground that Sarah Ann Ford, an aunt who stood in loco parentis to him and on whose account such commutation was claimed, could not be considered a parent under the provisions of such act.

IRA E. KING

The bill (S. 5348) for the relief of Ira E. King was announced as next in order.

Mr. KING. Let us have an explanation of that bill.

Mr. NYE. Mr. President, this bill is in behalf of the postmaster of the office at Stillwater, which was burglarized. It has a favorable report from the Post Office Department, and all other departments involved.

Mr. WILLIS. I suggest to the Senator that he substitute House bill 16442 for the Senate bill.

Mr. NYE. Very well.

The PRESIDENT pro tempore. Without objection, House bill 16442, for the relief of Ira E. King, will be substituted.

The Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 16442) for the relief of Ira E. King.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 5348 will be indefinitely postponed.

PAUL D. CARLISLE

The bill (S. 4687) for the relief of Paul D. Carlisle was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the stoppage placed against the pay of Paul D. Carlisle, a major on the retired list of the United States Army, in the sum of \$341.28, by reason of the absence with leave not in a full pay status, be and the same hereby is removed, and in case the sum, or any part thereof, has been already deducted from his pay, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Paul D. Carlisle, the sum of \$341.28, or such lesser sum, equal in amount to the sum so deducted.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS M. LIVINGSTON

The bill (S. 5398) granting relief to Thomas M. Livingston was announced as next in order.

Mr. BLEASE. I move that we substitute for that bill House bill 16183.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill (H. R. 16183) granting relief to Thomas M. Livingston.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 5398 will be indefinitely postponed.

CHARLES O. DUNBAR

The bill (H. R. 3069) for the relief of Charles O. Dunbar was announced as next in order.

Mr. BRUCE. Let that go over.

Mr. HOWELL. Mr. President, I would like to make a brief statement. This is a case where the postmaster, according to the rules of the Post Office Department, deposited money in a national bank, drew drafts thereon, and forwarded them to the central office. Before they were received the bank failed. Subsequently there was recovered from the receivers about 62 per cent of the amount. The balance is charged against the postmaster, and as the postmaster was not guilty of laches, the bill ought to pass.

Mr. PRESIDENT pro tempore. Does the Senator from Maryland withdraw his objection?

Mr. BRUCE. I waive the objection.

There being no objection, the Senate, as in Committee of the Whole, considered the bill, which was read as follows:

Be it enacted, etc., That the accounting officers of the Treasury be, and they are hereby, authorized and directed to credit the account of Charles O. Dunbar, former postmaster, Santa Rosa, Calif., in the sum of \$2,049.11, due the United States on account of the loss of postal funds and war-savings stamps.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE A. ROBERTSON

The bill (S. 872) for the relief of George A. Robertson was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the provisions of the act approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries while in the performance of their duties, and for other purposes," are hereby extended to George A. Robertson for the loss of his right eye while employed by the Department of the Interior in Glacier National Park in the year 1913, and that he be paid such sums as would properly be due him within the provisions of section 4 of the said act of September 7, 1916. The United States Employees' Compensation Commission is hereby authorized and directed to make payments in compliance with the terms of the said act of September 7, 1916, and in accordance with the rules and regulations of said commission. Any money in the United States Treasury not otherwise appropriated is hereby appropriated for the purpose of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL INDEFINITELY POSTPONED

The bill (S. 3653) for the relief of John H. Potter was announced as next in order. The bill had been adversely reported from the Committee on Claims.

The PRESIDENT pro tempore. Without objection, the bill will be indefinitely postponed.

GUSTAV E. BOETTCHER

The bill (S. 4495) for the relief of Gustav E. Boettcher was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, on page 2, line 11, after the word "Wisconsin," to insert the words "said postmaster having repaid such amount to said Piasecki, postmaster at Milwaukee, Wis.," so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to cancel the claim of the United States against Gustav E. Boettcher as substitute rural mail carrier, route 6, Merrill, Wis., in the sum of \$188.50, representing payments made to him as such substitute rural mail carrier for the period from April 15, 1924, to June 30, 1925, consisting of \$188.50, paid to him by Peter F. Piasecki, disbursing officer for rural carriers' salaries, during which period he also held the position of employee in custodian service, post-office building, Merrill, Wis., and his combined compensation as such substitute rural carrier and as employee, custodian service, exceeded \$2,000 per annum all contrary to the provisions of the act of May 10, 1916 (39 Stat. p. 120), as amended by the act of August 29, 1916 (39 Stat. p. 582), prohibiting the payment of two salaries to any person where the combined amount of such salaries exceeds the sum of \$2,000 per annum. And the Comptroller General is authorized and directed to make an allowance of \$188.50 in the accounts of the postmaster at Merrill, Wis., said postmaster having repaid such amount to said Piasecki, postmaster at Milwaukee, Wis.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to ask whether the bill has been approved by the Post Office Department.

The PRESIDENT pro tempore. The attention of the junior Senator from Wisconsin [Mr. LA FOLLETTE] is called to the inquiry made by the Senator from Utah.

Mr. KING. I inquired whether the bill had the approval of the Postmaster General?

Mr. LA FOLLETTE. It has.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDEBTEDNESS OF YUGOSLAVIA

Mr. REED of Pennsylvania. From the Committee on Finance, to which was referred the bill (H. R. 11948) to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes, I report it without amendment and submit a report (No. 1674) thereon.

Mr. President, I ask permission for a moment to return to Calendar 1342, the bill (S. 4190) to authorize the settlement of the indebtedness of the Kingdom of the Serbs, Croats, and Slovenes.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent to return to the consideration of Calendar 1342. Is there objection? The Chair hears none.

Mr. REED of Pennsylvania. Mr. President, I have examined the records of the committee—

Mr. SWANSON. Mr. President, this is a large public matter and we have only an hour yet on the evening session remaining.

Mr. REED of Pennsylvania. The bill was unanimously reported, and there is no objection to it anywhere. It has been thoroughly investigated by the Finance Committee.

Mr. SWANSON. If there is no objection to it, let us pass it without objection, but if there is to be a long debate, I shall have to object.

Mr. REED of Pennsylvania. I am sure there will be no objection. I will have to explain that by an error of either the clerk or the chairman of the Finance Committee, the Senate bill was reported instead of the House bill, which had been submitted to us more than six months before. I move that the Finance Committee be discharged from the further consideration of H. R. 948 and that that bill be substituted on the Calendar for the Senate bill, which is word for word the same.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. HOWELL. Mr. President, here is a case of debt settlement where, over a period of 62 years, the Government will not receive more than about 2½ per cent upon the face of the debt and at the end of 62 years the debt will be canceled. I have op-

posed this character of settlement. I think that it is an injustice to the American people. Here is a debt that does not amount to more than \$60,000,000, and a solvent nation is asking to be relieved by the American people of paying what it justly owes. I shall have to object.

The PRESIDENT pro tempore. Objection is made.

Mr. REED of Pennsylvania. The Senator has no objection to the substitution of the House bill if I do not ask for its passage?

Mr. HOWELL. No.

The PRESIDENT pro tempore. Without objection, the House bill (H. R. 948) will be substituted for the Senate bill, and Calendar No. 1342, Senate bill 4190, will be indefinitely postponed.

CONSIDERATION OF THE CALENDAR TUESDAY EVENING

Mr. CURTIS. Mr. President, it is perfectly evident that we can not complete the call of the calendar to-night. I want to submit a unanimous-consent request, so that Senators may understand it.

I ask unanimous consent that at the conclusion of the executive session to-morrow afternoon the Senate take a recess until 8 o'clock p. m. and that the evening session be devoted to unobjected bills on the calendar, beginning where we leave off to-night and that the night session shall last until not later than 11 o'clock.

The PRESIDENT pro tempore. Is there objection?

Mr. MEANS. Mr. President, I do not want to object, but I am wondering what may be done with reference to certain bills which we are interested in having passed. If we are going to have a night session to-morrow night, I should like to report certain bills for the calendar to-morrow, but we will not be able to get them on the printed calendar for to-morrow. I wonder if we could not have the request amended, so that we might consider them with others on the calendar if they are not objected to?

Mr. CURTIS. I have no objection to that arrangement.

The PRESIDENT pro tempore. The call of the calendar having been completed, to-morrow night it is proposed that the Senate shall then proceed to call all bills reported during the day, which shall be considered as on the calendar for the purposes of the unanimous-consent agreement. Is there objection?

Mr. BRUCE. Mr. President, I suggest to the Senator from Kansas that he might amend his proposed agreement in such a way as to permit us, in case we complete the unobjected bills to-morrow night, to go on with the objected bills.

Mr. CURTIS. I would have no objection to calling the other bills on the calendar under Rule VIII, until 11 o'clock.

Mr. KING. That is, that we return to the beginning of the calendar and invoke the same rule, taking them up and if they are unobjected to they may be considered?

The PRESIDENT pro tempore. The Chair would understand that at the completion of the call of the calendar for unobjected bills, any Senator, upon motion under Rule VIII, might move for the consideration of any bill upon the calendar.

Mr. CURTIS. I would rather begin at the beginning of the calendar. I think that would give better satisfaction. We had better begin at the beginning of the calendar under VIII.

Mr. EDWARDS. Mr. President, how long could a Senator talk under Rule VIII?

The PRESIDENT pro tempore. Five minutes.

Mr. EDWARDS. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. CURTIS. Then I submit the original request. I ask that the first proposition be submitted.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent to the effect—

Mr. BRUCE. Just a moment, Mr. President. I do not think the Senator from New Jersey understood the Senator from Kansas. Of course, under Rule VIII a motion could be made to take up a bill for consideration, and if the Senate takes it up for consideration the debate goes on in the ordinary way and it is not limited to five minutes. Is not that true?

The PRESIDENT pro tempore. Yes; but all debate would stop at 11 o'clock.

Mr. SWANSON. If we are going to have unlimited debate and take up uncontested bills, I can see no object in having any unanimous-consent agreement.

Mr. BRUCE. Very well, I withdraw my amendment.

The PRESIDENT pro tempore. The Senator from Kansas [Mr. CURTIS] asks unanimous consent that at the conclusion of the executive session to-morrow afternoon the Senate shall take a recess until 8 o'clock in the evening, at which time the Senate shall devote itself to the consideration of unobjected bills upon the calendar beginning at the point where the Senate leaves off the consideration of the calendar this evening, and that the

session to-morrow evening shall close at not later than 11 o'clock.

Mr. MEANS. The Chair did not add thereto those bills which may be reported to-morrow.

The PRESIDENT pro tempore. And such bills as may be reported during the session to-morrow shall be regarded as being upon the calendar for the purposes of this agreement. Is there objection? The Chair hears none and the unanimous consent agreement is entered into.

NORWEGIAN SAILING VESSEL "DERWENT"

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent to recur to Calendar 1370. I am informed that the objection made to the consideration of the bill will be withdrawn.

The PRESIDENT pro tempore. The Senator from Arkansas asks unanimous consent to return to the consideration of Calendar 1370, to which the present occupant of the chair made objection from the floor at the time of its prior presentation, which objection is now withdrawn. Is there objection?

Mr. JONES of Washington. Mr. President, has the Senator from Michigan [Mr. COUZENS] withdrawn his objection?

Mr. ROBINSON of Arkansas. Yes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7973) to provide American registry for the Norwegian sailing vessel *Derwent*, and it was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built sailing vessel *Derwent*, purchased and wholly owned by American citizens and repaired and changed by them into a barge, to be enrolled and licensed as a vessel of the United States.

Mr. WILLIS. Mr. President, I shall not object to the bill. The Senator from South Carolina [Mr. SMITH] is ill and absent. I wanted to make a statement in his presence. I think there are some equities which justify the passage of the bill, but I think it ought not to be construed as a precedent. It is a very dangerous precedent, and because I so believe I inserted in the RECORD a few moments ago the committee report, which was without recommendation and which gives a full statement of the facts.

Mr. JONES of Washington. Mr. President, as the chairman of the Committee on Commerce, I desire to concur in the statement made by the Senator from Ohio. I shall not myself regard this as a precedent for future legislation along these lines.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAUL B. BELDING

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 2197) for the relief of Paul B. Belding, which were on page 1, line 6, after "appropriated," to insert "in full settlement against the Government," and on page 1, line 6, to strike out "\$5,000" and insert "\$1,500."

Mr. CARAWAY. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

REFUND OF ESTATE TAX ERRONEOUSLY COLLECTED

The bill (S. 1909) for the refund of estate tax erroneously collected was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act by Eugene du Pont, surviving executor of the will of Amelia E. du Pont, late of Christiana Hundred, New Castle County, Del., deceased, for the refund of estate tax erroneously collected from the estate of the said Amelia E. du Pont in 1918.

Sec. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to said Eugene du Pont, surviving executor of the will of the said Amelia E. du Pont, any amount allowed in the determination of any claim filed in accordance with this act.

Mr. KING. Mr. President, I should like to have an explanation of the bill.

Mr. BAYARD. The estate of Mrs. Amelia E. du Pont overpaid the tax assessment by some \$23,000. The matter was taken up at large with the authorities in the unit in the Treasury Department, and three separate rulings were made on the particular item covering the tax. Finally the matter was adjusted in the Supreme Court of the United States.

Then when the attorneys who were representing the estate went back to the Treasury Department officials who were making the adjustment, the facts were all agreed upon, the Treasury Department admitted the overpayment of the tax, and then and not until then did they notify the claimants that the statute of limitations had run against the particular claim. On that basis they declined to pay it, because they said they had no power.

This is an enabling act to pay back money improvidently paid into the Treasury of the United States and admittedly due the estate from the Treasury Department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WATERS OF THE RIO GRANDE

The joint resolution (S. J. Res. 159) amending the act of May 13, 1924, entitled "An act providing a study regarding the equitable use of the waters of the Rio Grande," etc., was announced as next in order.

The PRESIDENT pro tempore. This is the same as calendar No. 3575, House Joint Resolution 345, of the same title.

Mr. SHEPPARD. I ask that the House joint resolution be substituted for the Senate joint resolution.

The PRESIDENT pro tempore. Without objection it is so ordered.

Mr. SHEPPARD. I ask that the House joint resolution be considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 345) amending the act of May 13, 1924, entitled "An act providing a study regarding the equitable use of the waters of the Rio Grande," etc., which was read as follows:

Resolved, etc., That the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico," is hereby amended to read as follows:

"That the President is hereby authorized to designate three special commissioners to cooperate with representatives of the Government of Mexico in a study regarding the equitable use of the waters of the lower Rio Grande and of the lower Colorado Rivers, for the purpose of securing information on which to base a treaty with the Government of Mexico relative to the use of the waters of these rivers. One of the commissioners so appointed shall be an engineer experienced in such work. Upon completion of such study the results shall be reported to Congress. The commission may also, with the concurrence of Mexico, make a study of the Tia Juana River, with a view of having a treaty governing the use of its water.

"Sec. 2. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such amounts, not to exceed \$50,000, as may be necessary for carrying out the provisions hereof."

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate Joint Resolution 159 is indefinitely postponed.

BILL PASSED OVER

The bill (S. 5329) to authorize increased appropriations for the United States Bureau of Mines, and for other purposes, was announced as next in order.

Mr. OVERMAN. Over.

Mr. KING. I join in the request.

The PRESIDENT pro tempore. The bill will be passed over.

PAYMENT OF CLAIMS OF DISBURSING AGENTS, BUREAU OF RECLAMATION

The bill (S. 5506) authorizing and directing the Comptroller General of the United States to make payments of certain claims or to allow credit to disbursing agents of the Bureau of Reclamation, Department of the Interior, in certain cases, was announced as next in order.

Mr. GOODING. Mr. President, I ask unanimous consent that Order of Business 1654, House bill 14567, be substituted. The bill has the recommendation of the Secretary of the Interior.

Mr. KING. Mr. President, I would like to have the Senator explain the bill.

Mr. GOODING. The bill is to pay 11 different claims in connection with the Minidoka project. That has to do with the American Falls Reservoir. The total amount is between \$18,000 and \$19,000. It is a Government irrigation project and the money, of course, comes back into the Treasury.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho for the substitution of House bill 14567?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14567) authorizing and directing the Comptroller General of the United States to make payments of certain claims and to allow credit to disbursing agents of the Bureau of Reclamation, Department of the Interior, in certain cases, and it was read, as follows:

Be it enacted, etc., That any funds available for the construction of the American Falls Reservoir, Minidoka Federal irrigation project, Idaho, whether appropriated by Congress or contributed by water contractors participating in the construction of that reservoir for expenditure by the United States shall be available for payment for damages for the removal of improvements from the right of way acquired for said reservoir, and the Comptroller General of the United States is hereby authorized and directed to allow payment of same, or to allow credit in the accounts of any disbursing agents of the Bureau of Reclamation, Department of the Interior, for the payment of any or all of said damages when made on properly executed vouchers, and under contracts made between the respective owners of such improvements and the United States, as follows:

Allen Oil Co., \$1,000; Minnie Adolph, \$400; William Bartel, \$520; Boise Payette Lumber Co., \$550; Evans Mercantile Co., \$9,500; Bert Hager, \$150; John F. Kossanke (guardian of Harold J. Kossanke, a minor), \$150; J. A. McCool, \$125; J. P. Mehlhaff, \$300; Power City Garage, \$2,850; and the Power County Fair Association, \$2,400.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 5546 will be indefinitely postponed.

B. F. COWLEY

The bill (S. 4795) for the relief of B. F. Cowley was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to B. F. Cowley, postmaster at Leesville, La., the sum of \$43.21, paid by him for messenger service in an emergency case.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RUTH J. WALLING

The bill (S. 5017) for the relief of Ruth J. Walling, was announced as next in order.

The PRESIDENT pro tempore. Without objection Order of Business 1530, House bill 13971, will be substituted for the Senate bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13971) for the relief of Ruth J. Walling, and it was read as follows:

Be it enacted, etc., That there is hereby appropriated, and the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$5,000 to Ruth J. Walling, in full for all claims she may have against the Government on account of the death of James B. Walling, husband of the said Ruth J. Walling, who was wrongfully shot and killed by a United States prohibition enforcement officer, on or about the 4th day of February, 1926, in Orange County, Tex., the said United States prohibition enforcement officer being then and there engaged in the performance of his official duties, and the said James B. Walling not being then and there resisting the enforcement of any law nor engaged in the perpetration of any unlawful act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection Senate bill 5017, for the relief of Ruth J. Walling, will be indefinitely postponed.

KATE MATHEWS

The bill (S. 5230) for the relief of Kate Mathews was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment on page 1, line 6, to strike out "\$10,000" and insert in lieu thereof "\$5,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Kate Mathews, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 as compensation for injuries received and expenses incurred by reason of having been struck by a United States Army automobile in San Antonio, Tex., on the 30th day of September, 1920, the automobile being driven at the time she was struck by First Lieut. Roscoe S. O'Hara, Air Service, United States Army,

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET I. VARNUM

The bill (S. 1283) for the relief of Margaret I. Varnum, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. SHEPPARD. Mr. President, may I make a statement before the Senator from Utah presses his objection? The soldier, who was the husband of Margaret I. Varnum, was not a deserter. He served nearly the entire length of the war, but the records in his case were not properly kept. It is shown by evidence in the report that he did serve for three or four years and that he drew a pension until the date of his death. Then the widow had trouble collecting it and was not allowed to collect it, and the object of the bill is to do justice to her.

Mr. KING. I withdraw my objection.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, their widows, and dependent relatives, George Smith, late private of Company K, Twenty-first Regiment Massachusetts Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 4th day of March, 1862: *Provided*, That no pay, bounty, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL DAY

Mr. BINGHAM. Mr. President, when Calendar No. 1287, the joint resolution (S. J. Res. 65) to provide for an agricultural day, was reached I asked that it go over. I now understand the purpose of the joint resolution, and I ask unanimous consent that we may return to that order of business and that it may be passed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 1, line 6, to strike out the word "National," so as to make the joint resolution read:

Resolved, etc., That in order to encourage consideration of the basic relationship of farming and agriculture to the well-being of the people of the Nation, it is hereby declared that the first Thursday in October of each year is designated as agricultural day, and it is the sense of the Congress that such day should be appropriately observed throughout the United States. The President is requested to communicate this declaration, by proclamation or otherwise, to the governors of the several States of the United States, and to request them to take such action as they may deem advisable in order to bring about observance of such day. This resolution shall not be construed as establishing a legal public holiday.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution to provide for an agricultural day."

SALE OF BUCKEYE TARGET RANGE, ARIZ.

The bill (H. R. 12797) to authorize the sale of the Buckeye target range, Arizona, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell the Buckeye target range, consisting of the east half of section 30 and the southeast quarter of section 19, township 1 north, range 3 west, Gila and Salt River base and meridian, Ariz., and to dispose of the proceeds of such sale, as is provided by the act of Congress, approved May 12, 1917 (40 Stat. L. p. 67), providing for the sale of target ranges acquired by purchase: *Provided*, That said land shall be sold at public sale after such advertisement and under such regulations as the Secretary of War may prescribe.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FIDELITY & DEPOSIT CO. OF MARYLAND

The bill (H. R. 12551) for the relief of the Fidelity & Deposit Co. of Maryland was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem three 4½ per cent United States certificates of indebtedness, series T.M. 1924, issued March 15, 1923, and matured March 15, 1924, serial Nos. 21431, 21432, and 21433, of the denomination of \$1,000 each, without interest, in favor of the Fidelity & Deposit Co. of Maryland, without presentation of the said certificates, which have been lost, stolen, or destroyed: *Provided*, That the said certificates of indebtedness shall not have been previously presented for payment: *Provided further*, That the said Fidelity & Deposit Co. of Maryland shall first file in the Treasury Department a bond in the penal sum of double the amount of the principal of said certificates of indebtedness in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificates of indebtedness herein described.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAUDE T. WINSLOW

The bill (S. 4631) for the relief of Claude T. Winslow was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Claude T. Winslow, postmaster at Mayfield, Ky., in the sum of \$74,628.45, due to the United States on account of money and postage stamps stolen from the safe of the post office at Mayfield, Ky., when burglarized on October 10, 1923.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INDEFINITELY POSTPONED

The bill (S. 2126) for the relief of George Andre and Alphonse Andre was announced as next in order. The bill had been reported adversely from the Committee on Claims.

The PRESIDENT pro tempore. Without objection, the bill will be indefinitely postponed.

The bill (S. 644) for the relief of Henry H. Hall was announced as next in order. The bill had been reported adversely from the Committee on Claims.

The PRESIDENT pro tempore. Without objection, the bill will be indefinitely postponed.

CIVIL WAR PENSIONS

The bill (H. R. 16461) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war and other wars was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. ROBINSON of Arkansas. Just a moment. Will the Senator withhold his objection?

Mr. KING. Certainly.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

Mr. ROBINSON of Arkansas. I would like to offer an amendment to the committee amendment, if the Senator from Utah will withhold his objection for that purpose. I would like to have the amendment incorporated in the committee amendment.

Mr. KING. I withhold my objection for that purpose. However, there are a number of amendments to be offered.

The PRESIDENT pro tempore. The committee amendments will be stated.

Mr. NORBECK. Mr. President, I was unable to hear what was going on.

The PRESIDENT pro tempore. The Senator from Utah objected to the present consideration of the bill. The Senator from Arkansas requested him to withhold his objection in order to permit the Senator from Arkansas to present an amendment to the amendment proposed by the committee. The committee amendments will be stated.

The first amendment of the Committee on Pensions was, on page 4, after line 18, to strike out:

The name of Georgianna Kilby, widow of George S. Kilby, late of Company D, Forty-sixth Regiment Massachusetts Militia Infantry,

and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 15, to strike out:

The name of Sarah Spencer, widow of John W. Spencer, late of Company I, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 4, after the words "rate of" to strike out "\$30," and insert "\$20"; so as to read:

The name of Mary Wendling, widow of Frederick Wendling, late of Company D, Twenty-fourth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 24, line 11, after the words "rate of" to strike out "\$30," and insert "\$20"; so as to read:

The name of Martha S. Mitchell, widow of David C. Mitchell, late of Company A, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 21, to strike out:

The name of Nancy H. Wentzel, widow of Peter Wentzel, late of Companies E and C, Sixtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, line 12, after the words "rate of" to strike out "\$30" and insert "\$20," so as to read:

The name of Rebecca Montgomery, widow of Samuel W. Montgomery, late of Company F, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 40, line 18, after the words "rate of" to strike out "\$50" and insert "\$40," so as to read:

The name of Adah A. Woodruff, widow of David E. Woodruff, late of Company B, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 45, after line 19, to strike out:

The name of Harriet Pritchard, widow of Andrew J. Pritchard, late of Company C, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 54, to strike out:

The name of Emily Robinson, widow of Jason Robinson, late of Company A, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 66, line 11, after the words "rate of," to strike out "\$30" and insert "\$25," so as to read:

The name of Martha E. Crank, widow of Lemuel P. Crank, late of Company A, Fifteenth Regiment United States Reserve Corps, Missouri Volunteer Home Guards, and pay her a pension at the rate of \$25 per month.

The amendment was agreed to.

The next amendment was, on page 66, after line 19, to strike out:

The name of Johanna Oleson, widow of Ole Oleson, late of Company A, First Regiment Minnesota Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 91, line 1, after the words "name of," to strike out "Nellie" and insert "Nelle," so as to read:

The name of Nelle G. Eckman, widow of David R. Eckman, late quartermaster sergeant, Ninety-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The next amendment was, on page 100, line 4, after the words "rate of," to strike out "\$30" and insert "\$20," so as to read:

The name of Frances A. Bruce, widow of Henry L. Bruce alias Bacon, late of Company C, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 102, line 18, after the words "rate of," to strike out "\$40" and insert "\$50," so as to read:

The name of Lydia A. Roberts, former widow of Francis M. Thomas, late of Company I, Eighth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 105, after line 4, to strike out:

The name of Margaret West, widow of Benjamin L. West, late of Company D, First Regiment Florida Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 121, after line 2, to strike out:

The name of Hannah Stinson, widow of James Stinson, late of Company L, Seventh Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 125, after line 23, to strike out:

The name of Doroleski R. Stratton, widow of Uriah W. Stratton, late of Company D, Eighty-fifth Regiment, and Company H, One hundred and ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 132, after line 13, to strike out:

The name of Nancy Ann Stewart, widow of George M. Stewart, late of Companies K and M, First Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 135, after line 2, to strike out:

The name of Mary N. Hunt, widow of William H. Hunt, late of Company I, Fifth Regiment Connecticut Volunteer Infantry, and Forty-ninth Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 152, after line 9, to strike out:

The name of Mina Maria Blumhof, widow of Louis Blumhof, late of Company C, Forty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 156, after line 8, to strike out:

The name of Ellen A. Trask, widow of Edward O. Trask, late of Company K, Ninety-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 163, line 24, after the words "rate of" to strike out "\$40" and insert "\$50," so as to read:

The name of Julia A. Angel, widow of David Angel, late of Company I, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 183, after line 15, to strike out:

The name of Catharyn Eicke, widow of Lewis Eicke, late of Company H, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 233, after line 11, to strike out:

The name of Almira Louisa Giles, widow of Jerome Giles, late of Company C, Second Battalion Sixteenth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 234, after line 10, to strike out:

The name of Emily S. Stuller, widow of Henry Stuller, late of Company E, Sixteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 247, after line 4, to insert:

The name of Laura R. Smith, widow of Charles F. Smith, late of Company H, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Marion E. Laird, widow of George F. Laird, late of Company D, Sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eveline P. Symonds, widow of Robert Symonds, late of Company C, Eighth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary M. Stewart, widow of Samuel J. Stewart, late of Company G, One hundred and forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Margaret Horey, widow of Joseph Horey, late of Company I, Eighth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rebecca C. Burwell, widow of George W. Burwell, late of Company B, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Hinckley, widow of William H. Hinckley, late of Company A, Seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ella E. Sanborn, widow of Cutler D. Sanborn, late of Second Independent Battery Massachusetts Light Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Martha M. Randall, widow of Seneca W. Randall, late of Company I, Twenty-sixth New York Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Ada B. Barr, invalid daughter of James V. Barr, late of Company G, One hundred and fifty-sixth Regiment Ohio National Guards, Civil War, Volunteer, and pay her a pension at the rate of \$12 per month, to be continued at the rate of \$20 per month after the widow's death.

The name of Martha Ann Cook, helpless child of Willis J. Cook, late of Company I, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Lillian S. Coburn, helpless child of Charles R. Coburn, late of Company D, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Cora C. O'Neill, widow of Arthur O'Neill, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Mattie Goff, widow of Samuel W. Goff, late of Company B, Third West Virginia Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Zachariah T. Pryor, late of Middle Green River Battalion Kentucky Volunteers, and pay him a pension at the rate of \$50 per month.

The name of Azaria Severs, late of Company B, Green River Battalion Kentucky State Troops, and pay him a pension at the rate of \$50 per month.

The name of Virginia F. Stickney, widow of Gen. Amos Stickney, late of the Engineer Corps, and pay her a pension at the rate of \$75 per month in lieu of that she is now receiving.

The name of Serena Hoffman, widow of E. Stringley Hoffman, late of Captain Moore McNeel's company of State Guards of West Virginia, and pay her a pension at the rate of \$30 per month.

The name of Laura A. Nason, widow of Thomas E. Nason, late of Company A, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine Lenahan, widow of Jeremiah Lenahan, late of Company K, Twenty-fifth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie Cheuvront, widow of James M. Cheuvront, late of Company F, Seventh Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Emily Simons, helpless and dependent daughter of James S. Simons, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Florida J. Jack, widow of John W. Jack, late of Company D, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of George H. Naylor, the helpless child of Alfred Naylor, late of Company C, Twelfth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Emma F. Webster, widow of George A. Webster, late of Company H, Tenth Regiment, and Company E, Sixth Regiment, New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sina J. Sutherland, widow of Martin B. V. Sutherland, late of Company G, Eleventh Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emily E. Kelley, widow of William H. Kelley, late of Company I, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary B. Welsh, widow of Rees Welsh, late of Company K, Twenty-seventh Pennsylvania Militia, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary C. Newman, widow of Isaac Newman, late of Company A, Sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rosa Abbott, widow of Ephraim M. C. Abbott, late of Company B, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Samuel Reiley, late of Second (unassigned) Potomac Home Guard Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Mary Cole Leach, invalid daughter of William S. Cole, late of Company B, Seventeenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$12 per month, to be continued on the roll at \$20 a month after the death of the widow.

The name of Sallie G. Williams, widow of Robert T. Williams, late of Fourteenth Kentucky Cavalry, Civil War, and pay her a pension at the rate of \$30 per month.

The name of Alice Cornwall, widow of Patrick M. Cornwall, late of Company D, Twenty-sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary J. Mozack, widow of John A. Mozack, late of Company G, Tenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Sarah A. Sparks, widow of James C. Sparks, late of Company B, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alice L. Power, dependent daughter of Albert L. Power, late of Company I, Ninth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Rosa L. Shields, widow of James Shields, late of Sixteenth Unattached Company, Massachusetts Militia Infantry, Civil War, and pay her a pension at the rate of \$40 per month.

The name of Flora I. Levensellor, daughter of Thomas Levensellor, late of Company B, Maine Coast Guard, and pay her a pension at the rate of \$20 per month.

The name of Mary M. Irvin, widow of George Irvin, and former widow of William Keaton, late of Company F, Eleventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Willie L. Steventon, widow of Albert N. Steventon, late of Battery B, New Jersey Light Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ulela R. Martin, widow of John B. Martin, late of Company I, Thirtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Bertha Warneke, widow of John H. Warneke, late of Company F, Third United States Reserve Corps, Missouri Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lillian Welsh, widow of John C. Welsh, late of Company B, Thirtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Tillman, widow of Frank Tillman, late of Companies K and H, Twenty-eighth Regiment Missouri Enrolled Militia, and pay her a pension at the rate of \$30 per month.

The name of Alexander Sells, dependent son of Lieut. Col. David M. Sells, late of Company D, One hundred and seventh Regiment Colored Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Mae Hicks, helpless daughter of Capt. Frederick M. Shelton, late of Company A, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Augusta Hayes, widow of William H. Hayes, acting assistant surgeon, Civil War, late of Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Cynthia Rudler Osgood, former widow of Joseph Rudler, late of Company G, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of America Parker, widow of William Nunn, who took the name of Parker, late of Company E, One hundred and sixteenth Regiment United States Colored Troops, and pay her a pension at the rate of \$15 per month.

The name of Annie F. McGown, widow of James A. McGown, late of United States Navy, and pay her a pension at the rate of \$20 per month.

The name of Alice M. Gay, widow of John Gay, late of Company F, Fourteenth Regiment United States Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Clarinda H. Mayo, widow of William L. Mayo, late captain Company A, One hundredth Regiment New York Volunteers, from September 23, 1861, to May 25, 1863, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Ellen Powell, widow of John B. Powell, late first lieutenant, Company D, Sixty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah A. Kemp, widow of William A. Kemp, late of Company A, Third Minnesota Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Laura Mitchell, widow of James Mitchell, late of Company B, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month.

The name of Jane Dorman, widow of Richard T. Dorman, late of Company H, Ninety-ninth Regiment Indiana Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Hayden, widow of William E. Hayden, late of Companies D and G, Fourth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth E. Willey, widow of Elijah Willey, late of Company I, Eighth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan Burchett, widow of John Burchett, late of Company C, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sallie Rice, widow of James Rice, late of Company K, Fifty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay her a pension at the rate of \$42 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Carrie Rice, helpless and dependent daughter of said James and Sallie Rice, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sallie Rice, the name of said Carrie Rice shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$20 per month from and after the date of death of said Sallie Rice.

The name of Bridget Braunreiter, widow of Joseph Braunreiter, late of Company F, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Charity Kimple, widow of Jacob Kimple, late of Company E, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Nannie E. Duval, widow of Richard Duval, late of Company G, Ninth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ada J. Bevell, widow of Benjamin T. Bevell, late of Company G, Twenty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Clara J. Elliott, widow of David S. Elliott, late of Company G, Thirteenth Regiment Pennsylvania Volunteer Infantry, and Company E, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Isaac I. Deems, dependent and helpless son of Isalah Deems, late of Company D, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Phoebe May Osborne, widow of Harrison Osborne, late of Company B, Fifteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Rebecca Johnson, widow of Moses Johnson, late of Company A, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary C. King, widow of Christian W. King, late of Company C, Thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Tulula V. M. Bortsfeld, widow of Amos Bortsfeld, late of Company E, One hundred and forty-seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Henrietta V. Kelley, widow of Eben E. Clark, late of Company E, Seventy-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margareta E. Strifert, widow of Carl F. Strifert, late of Company D, Brackett's battalion, Minnesota Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Hughes, widow of Patrick Hughes, late of Company B, Ninth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Julia I. H. Dilworth, widow of James A. Dilworth, late of Company F, Fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rebecca J. Deighton, widow of Thomas H. Deighton, late of Company F, Fortieth New York Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary V. Maxwell, widow of William F. Maxwell, late of Company H, Seventy-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Virginia McMaster, widow of Robert McMaster, late of Company H, Eleventh Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Neel, widow of Washington C. Neel, late of Company H, Sixty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Flora D. Hutchins, widow of Orlando D. Hutchins, late of Company K, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Dowd, widow of Lorenzo J. Dowd, late of Company G, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy W. Lawrence, widow of Jackson H. Lawrence, late of Company D, Fourth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Bertha P. Allen, widow of Edwin Allen, late of Company D, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emily J. Davis, widow of Eliphalet G. Davis, late of Company A, First Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jenny Riley, widow of Philip Riley, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lois E. Dickey, widow of Otis A. Dickey, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Minnie Weaver, widow of Jacob D. Weaver, late of Company E, Fifteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Lucy Hathaway Lee, widow of Jesse Matlock Lee, late a major general, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ella C. Haynes, widow of Henry A. Haynes, late of Battery C, Third Independent Battery Massachusetts Light Artillery, and pay her a pension at the rate of \$30 per month.

The name of Margaret Jane Harless, widow of Augustus Harless, late of Company F, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Jane Cutlip, widow of Benjamin F. Cutlip, late of Company F, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Cote, widow of George L. Cote, late of Company B, Eleventh Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. W. Place, 154 B Street, Lowell, Mass., widow of George E. Place, late of Company B, Twelfth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$40 per month.

The name of Caroline Stover, widow of Francis M. Stover, late of Company H, Eighth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary McLeod Heusted, widow of Luman G. Heusted, late of Company I, Third Regiment Michigan Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie McBride, widow of James H. McBride, late of Company G, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna S. Winslow, widow of Edward B. Winslow, late of Company B, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Hannah M. Casey, widow of Edward Casey, late of Company K, First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Fanny S. O'Brien, widow of Russell Galbraith O'Brien, late second lieutenant Company D, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Arthur H. Murch, dependent son of John M. Murch, late of Company D, Maine Coast Guard, and pay him a pension at the rate of \$20 per month.

The name of Ida Shaw, helpless daughter of Daniel Shaw, late of Company D, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Olive Dooley, widow of Arthur M. Dooley, late of Company C, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Caroline M. Aldrich, widow of Arthur F. Aldrich, Jr., late of the United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Emma J. Lee, widow of Asbury Lee, late of Company H, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Wilson, widow of Levi S. Wilson, late of Company A, Seventy-sixth Regiment United States Colored Infantry, and pay her a pension at the rate of \$30 per month.

The name of Augusta C. Harris, widow of William H. Harris, late of Company H, Fifth Regiment Pennsylvania Volunteer Infantry and Eighth Regiment United States Volunteer Cavalry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Edna C. Sargent, widow of John Sargent, late of Company A, Fourteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy J. Comings, widow of Charles B. Comings, late of Company I, Fourteenth Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Maria P. Barker, widow of John A. Barker, late of Company C, Second Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Genevieve E. Haley, widow of Henry B. Haley, late of Company M, First Regiment New Hampshire Volunteer Cavalry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah B. Danforth, widow of George L. Danforth, late of Company C, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Josephine V. Kidder, widow of Augustus Kidder, late of Company C, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Delia McDonald, widow of Matthew McDonald, late of Company L, Eighty-third Regiment New York Volunteer Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Aurelia Thibodeau, widow of Theophile Thibodeau, late of Company A, Tenth Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie S. Kelley, widow of George Kelley, late of Company F, Twenty-second Regiment Maine Volunteer Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Joanna E. Critchett, widow of William W. Critchett, late of Company C, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Phynella A. French, widow of Daniel W. French, late of Company B, Eleventh Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Hattie M. Houghton, widow of Alfred E. Houghton, late of Company E, Thirty-sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie Sherer, widow of Edwin L. Clayton, late of Company A, Seventeenth Regiment United States Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sophronia Stevens, widow of Daniel W. Stevens, late of Company F, Sixth Regiment New Hampshire Volunteer Infantry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Harriet C. Comstock, widow of George Comstock, late of Company D, First Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah J. Shedd, widow of Cyrus C. Pinkham, late of Company H, Eighth Regiment Maine Volunteer Infantry, Civil War, and pay her a pension at the rate of \$30 per month.

The name of Carrie W. Pervere, widow of Orrin Pervere, late of Company I, Third Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Mary J. Clugston, widow of James I. Clugston, late of Company G, Thirty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Catherine Posey, widow of John Posey, late of Company C, Forty-third Regiment Wisconsin Volunteer Infantry, Civil War, and pay her a pension at the rate of \$40 per month.

The name of Nancy J. Martin, widow of Thomas H. Martin, late of Company F, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ruth C. Avery, widow of Stephen Avery, late of Company A, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary L. Bailey, widow of Myron Winslow Bailey, late of Company H, Third Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Augusta A. Kingsbury, widow of Carlos J. Kingsbury, late of Company D, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martie C. Rogers, widow of Albert G. Rogers, late of Company C, Forty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ella Taylor, widow of Robert D. McCracken, late of Companies A and B, First Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mae H. Cheney, widow of George L. Cheney, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Amelia Bessett, widow of Antoine Bessett, late of Company A, Seventeenth Regiment Vermont Volunteer Infantry, and pay

her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Verona R. Weed, widow of Edson Weed, late of Company C, Third Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Bridget Jackson, widow of Heman Jackson, late of Company F, Tenth Regiment, and Company S, Fifth Regiment, Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma S. Fisher, widow of Christopher C. Fisher, late of Company I, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary Reed, widow of Thomas C. Reed, late of Company I, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Helen Mehitabel Sawyer, widow of Edward B. Sawyer, late major and colonel of First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ursula Chase, widow of Zolva W. Chase, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Carpenter, widow of Benajah S. Carpenter, late of Company G, Third Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Mussey, widow of Leo Mussey, late of Company D, Thirteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine C. Pairadee, widow of Gilbert Pairadee, late of Company A, Twelfth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie M. Walbridge, widow of Lysander E. Walbridge, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Delia S. Bullard, widow of Edgar Bullard, late of Company D, Fifth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hattie E. Dana, widow of Samuel J. Dana, late of Company B, Thirteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Adelia A. De Forge, widow of Alfred De Forge, late of unassigned company, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sadie A. Yarrington, widow of Merrill E. Yarrington, late of Company A, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Julia Rowe, dependent daughter of Amos Rowe, late of Company I, One hundred and sixty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month, and in the event of the mother's death to be continued on the rolls at \$20 per month.

The name of Candace Rinehart, widow of Alexander Rinehart, late of Company G, Seventeenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Minerva E. Stearns, widow of John S. Stearns, late of Companies B and D, Forty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Prudence M. Towner, widow of John H. Towner, late of Company B, Twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Helen J. Ellis, widow of Filander Ellis, late of Company G, Sixty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah Haver, widow of Nelson Haver, late of Company A, Forty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Bridget E. Morgan, widow of William Morgan, late seaman, United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of A. M. Nestor, late of Captain M. T. Haller's Independent Scouts, of Barbour County, W. Va., State troops, and pay him a pension at the rate of \$50 per month.

The name of Sarah J. Sparr, widow of Benjamin F. Sparr, late of Company E, One hundred and sixty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Annette A. McCormick, widow of David R. McCormick, late of Company G, One hundred and seventy-first Regiment Ohio National Guard, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda Reber, widow of Henry W. Reber, late of Company C, One hundred and fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine Sponsler, widow of Adam Sponsler, late captain of Company A, Tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Frances Grant Stoddard, widow of William L. Stoddard, late of Company D, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan Hines Parker, widow of Hollan N. D. Parker, late of Company C, Thirty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Helen M. Campbell, widow of George W. Campbell, late of Company G, Fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Drusilla M. Chase, widow of James J. Chase, late of Company D, Thirty-second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary M. De Pew, widow of William A. De Pew, late of Company I, Nineteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Wealthy F. Wagg, widow of Greenleaf G. Wagg, late of Company C, Thirteenth Regiment, and Company K, Thirtieth Regiment, Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Mary Viola Grubbs, widow of George W. Grubbs, late of Company F, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen Gilmore, widow of William E. Gilmore, late of Sixty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eleanor Stephens, widow of Edwin Stephens, late of Company D, Twenty-sixth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louise M. Schmidt, widow of William G. Schmidt, late hospital steward, Ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lavina R. Patterson, widow of Samuel Patterson, late of Company A, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Katherine Hayes, widow of William Hayes, late of Company B, Forty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Teague, widow of Abner Washington Teague, late of Company A, First Mississippi Infantry, war with Mexico, 1846-1848, and pay her a pension at the rate of \$72 per month in lieu of that she is now receiving.

The name of Annie C. Davis, widow of Andrew A. Davis, late of Company A, One hundred and thirty-eighth Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hattie A. Cleaves, widow of Frank Cleaves, late of Company I, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nellie J. Tracy, widow of Nelson Tracy, late of Company G, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Evaline E. Cross, widow of Martin V. B. Cross, late of Company K, Third Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Julia Spenard, widow of Benjamin Spenard, late of Company G, Eleventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Deborah A. Noyes, widow of David C. Noyes, late of Company B, Fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Laura B. Reddick, widow of Samuel B. Reddick, late of Troop A, Eighth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna V. Stickney, widow of John H. Stickney, late of Company C, Sixteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maria Brim, widow of George W. Brim, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary E. Bennett, widow of Jessie F. Bennett, late of Company H, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Isabelle Dickerson, widow of D. R. Dickerson, late of Company B, First Regiment Missouri Volunteer Engineers, and pay her a pension at the rate of \$30 per month.

The name of Sarah E. Daniels, widow of Richard Daniels, late of Company F, Forty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Asenath Elliott, widow of Augustus L. Elliott, late of Company G, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lou Etta Hobbie, widow of Pierce R. Hobbie, late of Companies E and D, Thirteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emily J. Kirkpatrick, widow of John D. Kirkpatrick, late of Company D, Fifty-second Regiment, and Company C, Sixty-ninth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Lukenbill, widow of Tillman Lukenbill, late of Company G, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sionia Lanitz, widow of Werner Stauber, late of Company L, Fourteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary J. Neely, widow of McGinley M. Neely, late of Company I, Third Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma C. Seawell, helpless daughter of Dewitt C. Seawell, late of Company B, One hundred and eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Maggie Sellers, widow of William H. Sellers, late of Company D, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Francis M. Ziebach, late of Company A, Dakota State Militia, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Palmer, widow of Joseph S. Palmer, late of Company D, Eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of E. Jane De Garmo, helpless and dependent child of Wilson De Garmo, late of Company H, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Martha H. Hall, widow of Warner J. Corey, late of Company E, Third Regiment, and Company B, Tenth Regiment, Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah C. Hixson, widow of Lemuel Hixson, late of Company D, Thirty-first Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louisa A. Scoville, former wife of Benjamin P. Scoville, late of Company C, One hundred and twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Henrietta A. Rumsey, widow of Joseph Rumsey, late of Company H, Sixth Regiment Pennsylvania Volunteer Reserves, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Idella N. Seeley, widow of John Seeley, late of Company H, Twenty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen A. Carpenter, widow of Isaac Hall Carpenter, late of Company G, Fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie Shively, widow of Joseph P. Shively, late of Company D, Twelfth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie McCoy, widow of Samuel E. McCoy, late of Company G, Thirteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Addie Foster Scriggins, former widow of Timothy S. Foster, late Civil War surgeon, pensioned under certificate 458842, and pay her a pension at the rate of \$30 per month.

The name of Honora Sullivan, widow of Michael Sullivan, late of United States Marine Corps, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Henrietta Steele, widow of Jonathan M. Steele, late of Company I, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Caroline Hutchison, widow of William H. Hutchison, late of Company K, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna Martin, widow of Henry Martin, late of Company E, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Margarethe Kammerling, widow of Frederick A. Kammerling, who was a musician, band, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Catherine E. Pearson, widow of John J. Pearson, late of Company G, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Perry, widow of James L. Perry, late of Company D, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Philomena M. Dial, widow of Norman Dial, late of Company I, Seventy-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah E. Bomgardner, widow of John C. Bomgardner, late of Company D, Forty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah C. Prentice, widow of Nathan B. Prentice, late of Company E, Seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month.

The name of Emma La Pointe, widow of Alexis La Pointe, late of Company D, Fourteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Belle Golladay, widow of Thomas B. Golladay, late of Company B, Twenty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Mary E. Grove, widow of James A. Grove, late of Company I, One hundred and sixty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ella G. Humes, widow of Josiah Humes, late of Company K, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Malinda A. Thompson, widow of Henry R. Thompson, late of Company I, Ninetieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia Louisa L. Darmer, widow of John C. Darmer, late of Company F, Fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Aurelia M. Power, widow of Benjamin F. Power, late of Company C, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Caroline Wilson, widow of Isaac C. Wilson, late of Company M, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Winifred C. Jones, widow of Aaron L. Jones, late of Company K, One hundred and sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Virginia Martin, widow of Isaac N. Martin, late of Company H, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Wilson, widow of James Wilson, late of Company E, Third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucinda S. Chase, widow of George W. Chase, late of Company C, One hundred and twelfth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary L. Wilson, widow of William P. Wilson, late of Company F, First Regiment United States Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary E. Bassett, widow of David Bassett, late of Company C, Sixth Regiment New Hampshire Volunteer Infantry, and Company E, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$50 per month.

The name of Louise M. Jackson, helpless daughter of John G. Jackson, late of Company B, First Regiment Maine Volunteer Heavy Artillery, and Company B, Nineteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Lizzie H. Webber, widow of Horace C. Webber, late of Company L, First Regiment Maine Volunteer Heavy Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Paulina Sour, widow of Peter Sour, late of Company I, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sophia C. Perkins, widow of John Perkins, late of Company D, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Louise Hagerman, widow of Oliver Summers Hagerman, late of Company E, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Jeannette L. Dean, widow of George W. Dean, late of Company A, Thirty-eighth Regiment Pennsylvania Volunteer Infantry (also second assistant engineer in the Navy), and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah A. Hunt, widow of Lewis Warren Hunt, late of Company D, Twenty-second Regiment Connecticut Volunteer Militia, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary J. Leiber, widow of Charles Leiber, late of Company A, Third Regiment United States Reserve Corps Missouri Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha E. Jennings, widow of Jasper Jennings, late of Company F, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah R. Labarron, widow of Franklin Labarron, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Armina Fry, widow of George Washington Fry, late of the Barbour County Scouts, and pay her a pension at the rate of \$30 per month.

The name of Rebecca E. Roberts, widow of Uriah Roberts, late of Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia Ann Collins, widow of George Collins, late of Company F, Sixth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth D. Riddle, widow of George M. Riddle, late of Company H, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Ann Britton, widow of John W. Britton, late of Company E, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Luvena F. Morning, widow of John W. Morning, late of Company I, Seventh Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy E. Payson, widow of Hollis M. Payson, late of Company I, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Nellie Small, widow of John Small, late of Company A, Eighth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Nancy E. Tennant, widow of Samuel F. Tennant, late of Company F, Fourth Regiment Indiana Legion Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Cavanaugh, widow of Andy Hartsing, alias Hartsinger, late of Company B, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Armgard Kuhlman, widow of Charles Kuhlman, late of Company F, Fortieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth Kyre, widow of John Kyre, late of Company I, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maggie Davenport, widow of Ralph Davenport, acting assistant surgeon, United States Army, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna C. Seacrist, widow of William Seacrist, late of Company K, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Christina Scofield, widow of Joseph B. Scofield, late of Company C, One hundred and seventy-second Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Virginia Jones, widow of Tilden Jones, late of Company E, Forty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Freiderike Ruevoldt, widow of Carl Ruevoldt, late of Company G, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elnora Rogers, widow of Adam C. Rogers, late of Company H, Seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. McElroy, widow of Moses McElroy, late of Company H, First Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Burton, widow of Francis E. Burton, late of Company A, Forty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Luella J. Freeman, widow of Kelsey P. Freeman, late of Company H, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Helen E. Yates, widow of Edgar F. Yates, late of Company G, Thirtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary Ida Jordan, widow of George Edward Jordan, late of Company H, Eighteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Jane O. Biggs, widow of Joseph Biggs, late of Company H, One hundred and third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Harris, widow of Marion Harris, late of Company D, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Fannie O. Hunt, widow of Horace W. Hunt, late of Company —, Ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine Chapman, widow of James W. Chapman, late of Company A, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of C. Ella Hartwell, widow of Corpl. Charles Hartwell, late of Company D, Twenty-sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Percis C. Hodgkins, widow of Merrill L. Hodgkins, late of Company F, Eighth Regiment Vermont Volunteer Infantry,

and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah Emma Garvin, widow of Lucius F. C. Garvin, late of Company E, Fifty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Barbara J. Ward, widow of James D. Ward, late of Company L, Sixth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alice A. Newell, widow of John W. Newell, late of Company F, One hundred and twenty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Maria M. Wilson, widow of William M. Wilson, late of Company K, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Paine, widow of Wilbur F. Paine, late of Company I, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ursula S. Rounds, widow of Byron C. Rounds, late of Company F, Thirtieth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Gallison, former widow of Norman Willey, late of Company H, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha G. Field, widow of Thomas G. Field, late of Company H, Eighty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia A. Wareing, widow of William H. Wareing, late of Company I, Ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie S. Hart, widow of Byron A. Hart, late of Company H, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Hattie L. Daly, widow of Michael B. Daly (also called Michael B. Daley), late of First Battery Maine Volunteer Light Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Della Johnson, helpless child of Zachariah T. Johnson, late of Company I, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Mary O. Bailey, former widow of Henry P. Hutchins, late of Company G, Eighth Regiment United States Infantry, also of the United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sena Hartzell Wallace, widow of William W. Wallace, late of Company H, Second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan M. Benton, widow of Orsmer H. Benton, late paymaster clerk on the gunboat *Cairo*, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ruth T. Guffin, widow of Oren Guffin, late of Company C, Fifth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Laura J. Toohey, widow of Thomas Toohey, late of Company F, Twenty-fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Trimble, widow of Theodore W. Trimble, late of Company B, Forty-first Regiment Iowa Volunteer Infantry, and Company L, Seventh Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lydia E. Flanders, widow of William R. Flanders, late of Company H, Twenty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha F. Buzan, widow of Jacob W. Buzan, late of Company A, Twelfth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Kindred, widow of Hezekiah Kindred, late of Company C, One hundred and nineteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth McCue, widow of Joseph McCue, late of Company E, Eighty-second Regiment Pennsylvania Volunteer Infantry,

and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Almira J. Kirkpatrick, widow of Stephen B. Kirkpatrick, late of Company D, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rebecca C. Coen, widow of Marlon Coen, late of Company G, Thirty-seventh Regiment, and Company C, One hundred and thirty-fourth Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Celina J. Cart, widow of William H. Cart, late of Company M, Seventh Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Clara M. Crawford, widow of Otis Crawford, late of Company A, Ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Cynthia Jane Currier, widow of Lemuel Currier, late of Company C, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Rossella F. Mason, widow of Jerome D. Mason, late of Company C, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Jane C. Hawkins, widow of Wesley Hawkins, late of Company F, One hundred and forty-second Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Harriett V. Becker, widow of Frederick H. Becker, late of Company F, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Filkel, widow of John Filkel, late of Company D, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Martha E. Hupman, widow of John W. Hupman, late of Company F, One hundred and fifty-third Regiment Ohio National Guard, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Kate Oehler, widow of Charles H. Oehler, late of Company H, Ninety-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary F. Pentzer, widow of Patrick Henry Pentzer, late of Company C, Ninety-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Kitty A. Vernon, widow of Enoch S. Vernon, late of Company G, One hundred and forty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ina Silsby, widow of George Silsby, late of Company C, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary McLeod Heusted, widow of Luman G. Heusted, late of Company I, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susan W. Selfridge, widow of James Russell Selfridge, late captain, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Harriet E. Bosh, widow of William J. Bosh, late of Company M, Tenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Statira M. Carr, widow of James P. Carr, late of Company K, First Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Chaput, widow of John Vander Heyden, late of Company L, First Regiment New York Volunteer Engineers, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Susan A. Valentine, widow of Ethan A. Valentine, late of Company G, Twenty-sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ellen M. Johnson, widow of Joseph G. Johnson, late of Company D, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy Neal, widow of John W. Neal, late of Company C, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Susanna Mog, widow of John B. Mog, late of Company H, Second Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah C. James, widow of Henry James, late of Capt. William H. Gay's company, First Regiment Iowa Volunteer Light Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Flora Hartman, widow of S. J. Hartman, late of Company K, Thirteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia A. Holmes, former widow of John N. Gen, late of Company G, Second Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louisa C. Hotchkin, widow of Samuel B. Hotchkin, late of Company A, Twenty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Tennessee Hill, widow of Henry Hill, late of Company H, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary C. Hunt, widow of Jacob Hunt, late of Company G, Tenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Permella A. Morse, widow of Edwin Morse, late of Company G, One hundred and eighty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lydia J. Barr, widow of Isaac N. Barr, late of Company B, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Malinda J. Bright, widow of Lewis Bright, late of Company C, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary F. Belleville, widow of Joseph H. Belleville, late of Company B, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Margaret Conrad, widow of Frank Conrad, late of Company E, Second Regiment Eastern Shore Maryland Volunteer Infantry, and Company I, Eleventh Regiment Maryland Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Arra E. Everman, widow of Nathaniel Everman, late of Company F, Fortieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Alice B. Griffiths, widow of William T. Griffiths, late of Company L, Fifteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lydia A. Gillmore, widow of James C. Gillmore, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ortha J. Harris, widow of Capt. Merlin C. Harris, late of Company C, Ninety-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Jackson, widow of William Jackson, late of Company E, First Regiment Texas Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Frank J. Andress, alias Frank Smith, late of Company E, One hundred and sixty-first Regiment New York Volunteer Infantry, Company D, One hundred and ninth Regiment New York Volunteer Infantry, and Company D, Fifty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Jennie M. Miller, widow of Mahlon Miller, late of Company C, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Carrie L. Stewart, widow of Albert H. Stewart, late of Company A, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Eliza M. Spencer, widow of Franklin Spencer, late of Company D, First Battery Iowa Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary H. Keck, widow of John S. Keck, late of Company G, Fourth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary E. Farr, widow of Edward P. Farr, late of Company G, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lena Lenning, widow of John Lenning, late of Company H, One hundred and fiftieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Thomas A. Harrington, late of Company E, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of \$50 per month.

The name of Jennie Parks, widow of Terrel Parks, late of Company G, Eleventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Agnes Howat, widow of James Howat, late of Company E, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda J. Havens, widow of Peter S. Havens, late of Company F, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Anderson, widow of David Anderson, late of Company D, One hundredth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna Paul Nichols, widow of Findley Paul Nichols, late of Company H, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ellen E. Carlin, widow of John C. Carlin, late of Company H, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sarah Jane Cox, daughter of William Cox, late of Company E, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Sarah M. Smith, widow of Robert H. Smith, late of Company K, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Boyd, widow of Capt. Leroy C. Boyd, late of Company G, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sophronia Woffindin, widow of James W. Woffindin, late of Company D, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Louise Hendershott, helpless and dependent daughter of Henry B. Hendershott, late major Second Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Cyrus Edson, crippled son of Albert W. Edson, late of Company K, Twelfth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Charlotte E. Johnson, widow of William L. Johnson, late of Company G, Fifty-fourth and One hundred and fifty-seventh Regiments New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Carrie E. Noyes, widow of Daniel K. Noyes, late of Company M, First Regiment New Hampshire Heavy Artillery, and pay her a pension at the rate of \$30 per month.

The name of Hannah Funk, widow of Adam Funk, late of Company K, One hundred and fifty-first Regiment Ohio National Guards, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth R. Smeltzer, widow of Charles W. Smeltzer, late of Company G, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ida S. L. Smith, widow of Alcuis T. Smith, late of the band, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Catherine Haffey, widow of Patrick Haffey, late of Company E, One hundred and forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Claiborn D. Richards, late of Cochran's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Eli Lutes, late of Cochran's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Benjamin F. Winters, late of Cochran's Bollinger County company, Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Jacob Masters, late of Cochran's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Thomas Kinder, late of Cochran's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Anthony Shell, late of Cochran's Bollinger County company, Missouri Enrolled Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Nehemiah R. Ray, late of Cochran's company, Enrolled Missouri Militia, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Annie E. Barker, widow of Sylvester Barker, late of Company D, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Catherine Green, widow of Ira Green, late of Company E, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sylva J. Wilsen, former widow of Willis Moore, late of Captain Boardman's Third Regiment, Indiana Volunteer Infantry, and pay her a pension at the rate of \$65 per month from January 1, 1927.

The name of Dora Errickson, widow of Nelson Errickson, late of Company E, Forty-sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Effie Viola Meranda, helpless child of Milton L. Meranda, late of Company E, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Anna B. Bell, widow of Oliver L. Bell, late of Company D, First Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen H. Cross, widow of Russel W. Cross, late of Company C, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Kate Litton, former widow of William Molleston, late of Company C, Seventh Regiment Tennessee Mounted Infantry, and pay her a pension at the rate of \$30 per month.

The name of Elizabeth Waddle, widow of William W. Waddle, late of Company A, Forty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Sarah J. Asbury, mother of Alexander P. Asbury, late of Company H, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Ellen Harley Soule, former widow of John D. Harley, late of Company F, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma Gordon, widow of Ira Gordon, late of Company F, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Rebecca E. Broadway, widow of William M. Broadway, late of Company H, Fourth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Dorothy Hostvet, widow of Edward A. Hostvet, late of Company H, Fourth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Jemmima Bittinger, widow of Jacob G. Bittinger, late of Company E, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary S. Rogers, widow of Orin P. Rogers, late of Company A, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Katharine Morrison, widow of George Morrison, late of Company A, First Regiment Vermont Volunteer Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amanda M. Butcher, widow of Marion Butcher, late of Company C, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Theresa Morrow, widow of William Morrow, late of Company B, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sabilla E. King, widow of David M. King, late of Company B, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Crouse, widow of Charles L. Crouse, late of Company G, Fourth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Herman, widow of Michael B. Herman, late of Company L, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Ella E. West, widow of George Walton West, late of Company H, Second Regiment Maine Volunteer Cavalry, and Company I, Twenty-sixth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Matilda I. Arthur, former widow of Franklin D. Taylor, late of Company A, Ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline H. Woolsey, widow of Richard L. Woolsey, late of Company C, Seventy-first Regiment New York State Militia Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Minnie Williams, widow of Enos B. Williams, late of Company H, Ninety-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margaret Roy, widow of Simon Roy, late of Company H, Twenty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna Callender, widow of Judson Callender, late musician of Company F, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary L. Greenwood (claim No. 852099), widow of Joseph Greenwood, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, Civil War, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna A. Wickham (claim No. 936173), widow of Fernando J. Wickham, late of Company A, Eighth Regiment New York Volunteer Heavy Artillery, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Eunice Gilkey, widow of Henry B. Gilkey, late of Company H, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Douglass Smith, late officer's servant with General W. W. Averell, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Harriet Grace, widow of John Grace, late of Company C, Third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, that she may be able to live with some member of her family, as she requested.

The name of Emma E. Kanzleiter, widow of Daniel Kanzleiter, late of Company E, One hundred and thirty-sixth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary May Bricker, invalid daughter of Joseph U. Bricker, late of Company H, One hundred and twentieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of John Washington Beardmore, late of Company G, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The name of Amanda Brading, widow of Thomas J. Brading, late of Company G, Sixth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Jennie Y. Brandon, widow of Isaac M. Brandon, late of Company K, Thirtieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Matilda Butler, widow of John William Butler, late of Company D, Forty-second Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Baker, widow of Andrew J. Baker, late of Company B, Twelfth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$40 per month.

The name of Louisa Boehme, widow of Charles F. Boehme, late of Company I, First Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Anna Barrett, widow of Uriah D. Barrett, late of Company K, Tenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Nannie F. Davenport, widow of Ivory Davenport, late of Company I, Eighth Regiment United States Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Leah E. Davison, widow of William S. Davison, late of Company D, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate \$50 per month in lieu of that she is now receiving.

The name of Mary E. Dearen, widow of William T. Dearen, late of Company F, Thirteenth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Maria Groves, widow of John Groves, late of Company K, Eighty-third Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Cora E. Hotten, widow of Eloi Hotten, late of Company K, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie E. Kent, widow of William Kent, late of Company B, Third Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Harriett Larue, widow of Abraham Larue, late of Company A, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Carrie Naylor, widow of Harrison Naylor, late of Company L, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Edie Nichols, widow of Frederick Nichols, late of Company F, Eighty-third Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Parmelia Preston, widow of William H. Preston, late of Company C, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elizabeth D. Fisher, widow of James M. Fisher, late of Company C, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sallie J. Slavy, widow of George W. Slavy, late of Company G, Thirty-second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Hockingberry, widow of Francis M. Hockingberry, late of Company G, Fifteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline A. Berleth, widow of Albert Bain, late of Company A, Nineteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Helen M. Dodge, former widow of Warren Dodge, late of Company E, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$40 per month.

The name of Thomas L. Hockensmith, late of Company K, Seventy-seventh Regiment Missouri Enrolled Militia, and pay him a pension at the rate of \$50 per month.

The name of Mary Jane Brothers, widow of Austin Brothers, late of Company A, Thirty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Phoebe E. Messick, widow of Charles Messick, late of Thirteenth Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, that she may be able to live with some member of her family, as she requested.

The name of Sally Parsons, widow of Charles B. Parsons, late of Company D, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eliza J. Wells, widow of John E. Wells, late captain Company G, Sixteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Mary Willard, widow of William A. Willard, late of Company H, One hundred and forty-fourth Regiment New York

Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Adelia M. Emmons, widow of Corodon Emmons, late of Company A, Maine Volunteer Coast Guard Regiment, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Katherine E. Johnson, widow of James Johnson, late of Company K, One hundredth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Anna Putnam, widow of Lorendo R. Putnam, late of Twenty-third Battery New York Volunteer Light Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ettie Poleman, widow of William Poleman, late of Company G, Nineteenth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucinda Freeburn, widow of Barger Freeburn, late of Company I, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Wilhelmine Engel, widow of George Engel, late of Company D, Fifth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna E. Wilson, widow of James Stewart, late of Company A, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Weltha M. Benson, widow of Elisha B. Sweet, late of Company A, Eighty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Mattie J. Mileham, widow of Samuel Mileham, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Marina A. de Lucero, widow of Jose N. Lucero, late of Company B, First Regiment New Mexico Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Nettie Brooks, widow of Frank Brooks, late of Company H, Ninety-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Julia Jackson, widow of Andrew Jackson, late of Company C, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Denton, widow of Nehemiah N. Denton, late of Company F, First Regiment New York Volunteer Engineers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Isabell Lester, widow of Stephen A. Lester, late of Company B, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nettie G. Lanckenau, widow of John D. Lanckenau, late of Company C, One hundred and twenty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Sallie E. Arbogast, widow of George W. Arbogast, late of Company G, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia A. Patterson, widow of Joseph Patterson, late of United States Navy, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Laura R. Holliday, widow of George M. Holliday, late of unassigned Second Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Abbie N. Thorn, widow of Thompson Thorn, late of Sixth Independent Battery New York Volunteer Light Artillery, and pay her a pension at the rate of \$30 per month in lieu of \$12 per month that she is now receiving as the mother of Sailor Frederick L. Jernee, deceased.

The name of Emily Atherton, widow of James B. Atherton, late of Company A, Seventy-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Evans, widow of Thomas P. Evans, late of Company B, Eighteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy C. Cunningham, former widow of Freeman W. Varney, late of Company A, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Josephine S. Hall, former widow of Gilbert A. Clay, late of Company E, Tenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma L. Ridinger, widow of John D. Sands, late of Company G, Second Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia Bratton, widow of Anthony W. Bratton, late of Company K, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen Bennett, widow of Charles H. Bennett, late of Company A, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Alice M. A. Pickler, widow of John A. Pickler, late of Company D, Third Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Melissa J. Kauffman, widow of Solomon Kauffman, late of Company L, Third Regiment Indian Home Guards, Kansas Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Julia A. Cale, widow of William A. Cale, late of Company K, Third Regiment Home Brigade, Maryland Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lydia A. Jones, widow of William P. Jones, late of Company H, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary L. Haddix, widow of David Haddix, late of Company C, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Lucy Cornish, widow of George T. Cornish, late of Company I, Eighty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, and in event of her death, the name of the helpless child, Annie E., to be continued on the roll at the rate of \$20 per month from the date of death of Lucy Cornish.

The name of Emily Browning, former widow of Henry Fix, late of Company F, Second Regiment Kansas State Volunteer Militia, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie E. Johnson, widow of George W. Johnson, late of Company F, Seventh Regiment Iowa Volunteer Cavalry, Civil War, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Hannah E. Lewis, widow of Charles W. Lewis, late of Company B, Twenty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Amelia Brant, widow of Nimrod Brant, late of Company C, Thirty-eighth Regiment, and Company G, Thirty-fourth Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jennie M. Farmer, former widow of Walter Parmenter, late of Company H, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of George D. Powers, dependent son of Harrison Powers, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The name of Minnie C. Holland, widow of Freeman T. Holland, alias William Clark, late of Company C, Seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Eunice A. Mullen, widow of John F. Mullen, late of Company D, Seventh Regiment Maine Volunteer Infantry, and Company I, First Regiment Maine Veteran Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Anna L. Sweet, widow of William E. Sweet, late of Company B, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Missouri A. Stine, widow of James H. Stine, late of Company C, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Kizzie Morgan, widow of James A. Morgan, late of Captain Leonard Erwin's Company G, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ethalinda Holbrook, widow of Horace N. Holbrook, late of Company A, sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of John F. Mathews, late of Military Telegraphers' Corps, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Minnie A. Williams, helpless and dependent daughter of James A. Williams, late of One hundred and first Regiment Illinois Volunteer Infantry, Civil War, and pay her a pension at the rate of \$20 per month.

The name of Minnie M. Billings, widow of William F. Billings, late of unassigned company, Nineteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Thomas Morrison, late of Military Telegraphers' Corps, Civil War, and pay him a pension at the rate of \$50 per month.

The name of Emma E. Gillespie, widow of Charles Gillespie, late of Company B, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Ellen A. Toale, widow of Patrick P. Toale, late of Company G, Sixty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

Mr. ROBINSON of Arkansas. At the end of the committee amendment just stated, I offer the amendment which I send to the Clerk's desk.

The PRESIDENT pro tempore. The amendment to the committee amendment will be stated.

The CHIEF CLERK. Add after line 20, page 326, in the committee amendment, the following:

The name of Elizabeth E. Bagley, widow of William L. Bagley, late of Company I, Sixteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

Mr. KING. I have no objection to the Senator's amendment being inserted in the bill, but if I consent to the amendment now it would be a waiver, I fear, of my objection.

The PRESIDENT pro tempore. The Chair will state to the Senator from Utah that under the rule he can renew his objection at any stage of the consideration of the bill.

Mr. KING. With that understanding, I have no objection to the amendment.

The PRESIDENT pro tempore. Without objection the amendment proposed by the Senator from Arkansas to the amendment proposed by the committee will be agreed to, and without objection the amendment proposed by the committee as amended—

Mr. KING. No, Mr. President. I think we should go no further than that.

Mr. CURTIS. This is an omnibus pension bill. Why can not the Senator let it go through?

Mr. KING. We have had a number of omnibus pension bills.

Mr. CURTIS. Not at this session.

Mr. KING. At the last session; and my understanding was that that was to end those omnibus bills.

Mr. CURTIS. How could it end the omnibus bills?

Mr. KING. Apparently, it does not end them. They are as perennial as the spring. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. NORBECK. Mr. President, may I explain to the Senator that no Civil War omnibus pension bill has been passed at this session, and this one carries only a small sum of money?

Mr. KING. How much?

Mr. NORBECK. Four hundred and seventy-eight thousand dollars. The other bill that is coming on, the general bill, carries \$23,000,000, fifty times as much. This one carries only one-fiftieth of what the next bill carries.

Mr. KING. You have another one?

Mr. NORBECK. Yes. Will not the Senator withhold his objection on this one, and make it against the one that is 50 times as large?

Mr. KING. In view of the request of the Senator that I object to the twenty-odd million dollar bill, I shall withdraw my objection to this bill.

The PRESIDENT pro tempore. Without objection, the amendment proposed by the committee, as amended, is agreed to.

Mr. NORBECK. May I call attention to the fact that there is another amendment pending, offered by the Senator from Vermont [Mr. GREENE], who, I think, is unable to be present; and then keep in mind also the fact that the committee amendments are in two parts, so that we do not overlook one of them.

The PRESIDENT pro tempore. What are the other amendments, may the Chair inquire?

Mr. KING. I ask to have the amendments stated.

The PRESIDENT pro tempore. The amendments will be stated.

The CHIEF CLERK. It is proposed to add the following amendments at the end of the committee amendment:

The name of Robert H. Wood, son of William P. Wood, late of Company F, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Sarah E. Overman, widow of Christian Overman, late of Company K, Sixth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Alice I. Kelly, widow of Joseph K. Kelly, late of Company F, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma J. Carr, widow of Charles L. Carr, late of Company G, Thirty-fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Kate R. Mott, widow of Captain Frank Mott, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Albert E. Alexander, late of Captain Nelson Miner's Company A, Dakota Volunteers, Indian wars, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Mary Helen Grant, widow of Lewis A. Grant, late a major general of United States Volunteers, Civil War, and pay her a pension at the rate of \$75 per month in lieu of that she is now receiving.

The name of Margaret L. Coon, widow of James M. Coon, late of Company C, Seventh Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$50 per month.

The name of Celia R. Miller, widow of Abel T. Miller, late of Company I, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month.

The name of Violet G. Wilt, helpless and dependent daughter of Rufus Wilt, late of Company G, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Frances M. Gushee, widow of Frank A. Gushee, late of Company D, Fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Emma J. Case, widow of Cornelius R. Case, late of Company I, Ninetieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary J. Barrows, widow of Frank Barrows, late of Company D, Seventy-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Alice S. Munroe, widow of Frederick A. Munroe, late of Company C, First Regiment Washington Territory Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Frances M. Crowl, widow of William A. Crowl, late of Company F, Fifty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Leander L. Houston, late of Company A, Thirty-sixth Regiment Enrolled Missouri Militia, and pay him a pension at the rate of \$50 per month.

The name of Mary E. King, widow of George King, late of Battery K, First Regiment United States Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary A. Miller, widow of James W. Miller, late of Company H, Sixty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Eliza G. Murray, widow of Robert G. Murray, alias Robert G. Guisse, late of Company C, Thirteenth Regiment Pennsylvania Volunteer Cavalry, Thirty-ninth Company, Second Battalion, Veteran Reserve Corps, and Company D, First Veteran Reserve Corps, and pay her a pension at the rate of \$30 per month.

The name of Cora F. Marlette, widow of Samuel P. Marlette, late of Company A, First Regiment Minnesota Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Phebe Jane Sparrow, widow of George E. Sparrow, late of Company D, Twenty-first Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Margery Warren, widow of William B. Warren, late of Company D, First Regiment United States Lancers, Michigan Vol-

unteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Lucy R. Steckel, widow of Joshua J. Steckel, late of Company E, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Annie Leavitt, widow of George O. Leavitt, late of Company K, First Regiment New Hampshire Volunteer Heavy Artillery, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Nancy Kelley, widow of Elijah Kelley, late of Company A, Twenty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Emily K. Glunt, widow of Jacob Glunt, late of Company I, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Chloe A. Twombly, widow of Voltaire P. Twombly, late of Company F, and captain Company K, Second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Olive Lunn, widow of Henry Lunn, late of unassigned company, Eighth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Jane Morris, widow of Walstein L. Morris, late of Company A, First Regiment Vermont Volunteer Artillery, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Clarinda Mason Smith, widow of Charles Smith, late of Company A, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month.

The name of Elizabeth Forsyth, widow of Thomas Hall Forsyth, late of Company A, One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Gertrude De Wolf Windsor, widow of John McC. Windsor, late chaplain, Eleventh Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Hilton, widow of Deloss Hilton, late of Troop F, Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$30 per month.

The name of Mary J. Taggart, widow of Daniel F. Taggart, late of Company C, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Eliza C. Lower, widow of William Lower, late of Company C, Sixth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Elva M. Averill, widow of Henry L. Averill, late of Company L, First Regiment Vermont Volunteer Cavalry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth E. Wood, widow of Henry Charles Wood, late of Company F, Thirty-fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The name of Ada M. Standish, widow of William H. Standish, late of Company K, One hundred and fifty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Caroline E. Spencer, widow of George H. Spencer, late of Company E, Seventeenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Martha A. Anderson, widow of Jesse Anderson, late of Company B, Fourteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Josephine M. Canright, widow of Francis A. Canright, late of Company F, Fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Isabella Parsons, widow of Martin Parsons, late of Company M, United States Marine Corps, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Mary E. Devine, widow of Owen Devine, late of Company F, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The name of Elizabeth Nickens, widow of Henry Nickens, late of Company I, Twenty-fourth Regiment United States Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

On page 262, strike out lines 21 to 24, inclusive.

The amendments to the amendment were agreed to.

Mr. OVERMAN. I offer this amendment: Add, after the amendment offered by the Senator from Arkansas [Mr. ROBINSON]:

The name of Mary Malvina White, former widow of Hardy C. Dixon, late of Company A, First Regiment North Carolina Volunteers, and pay her a pension at the rate of \$30 per month.

She is one of five of the Mexican War widows that are left.

The amendment to the amendment was agreed to.

Mr. KING. I do not object to that one. I was about to ask the Senator from South Dakota whether there are any amendments offered granting \$50 a month to widows who have recently married, since the act of Congress was passed fixing the limit at 30 years, as I recall.

Mr. NORBECK. I do not think there are any of \$50. The committee has held down pretty much on those that were married after 1905. There are some that have come in, but only accidental cases, and absolutely none after 1915. The committee has drawn the line absolutely there.

Mr. KING. I think we ought to adhere to the act of Congress of 1905. If there are none beyond that, I have no objection to the bill.

Mr. CAPPER. Mr. President, I desire to offer an amendment correcting the spelling of the name on page 257, line 22, so that the name "Bevell" will be "Bevelle." The letter "e" was left off the name.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 15827) authorizing investigation by the Secretary of the Interior and the Secretary of Commerce jointly to determine the location, extent, and mode of occurrence of potash deposits in the United States, and to conduct laboratory tests, in which it requests the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13499. An act authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio; and

H. R. 14881. An act to relinquish to its equitable owners the title of the United States to the land in the claims of A. Moro and of Anthony Campbell, in Jackson County, Miss.

The message further announced that the House had passed the joint resolution (S. J. Res. 154) extending the provisions of the acts of March 4, 1925, and April 13, 1926, relating to a compact between the States of Washington, Idaho, Oregon, and Montana for allocating the waters of the Columbia River and its tributaries, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 13499. An act authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio; to the Committee on Military Affairs.

H. R. 17355. An act making appropriations for public building projects; to the Committee on Appropriations.

H. R. 17136. An act granting the consent of Congress to the Baton Rouge-Mississippi River Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at Baton Rouge, La.; to the Committee on Commerce.

POTASH DEPOSITS IN THE UNITED STATES

Mr. SHEPPARD. Mr. President, I ask that the Chair hand down House bill 15827.

The bill (H. R. 15827) authorizing investigation by the Secretary of the Interior and the Secretary of Commerce jointly to determine the location, extent, and mode of occurrence of potash deposits in the United States, and to conduct laboratory tests, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That section 2, Public No. 424, Sixty-ninth Congress, be amended to read as follows:

"SEC. 2. The Secretary of the Interior and the Secretary of Commerce jointly are hereby authorized, within their discretion, to cooperate under formal agreement with individuals, associations, corporations, States,

and municipalities, educational institutions, or other bodies, for the purposes of this act: *Provided*, That before undertaking drilling operations upon any tract or tracts of land, the mineral deposits of which are not the property of the United States, the Secretary of the Interior and the Secretary of Commerce jointly shall enter into a contract or contracts with the owners or lessees, or both, of the mineral rights therein, and the aforesaid contract or contracts shall provide, among other things, that, if deposits of potash minerals or oil shall be discovered in pursuance of operations under said contract or contracts and if and when said mineral deposits shall be mined and sold, the owners or lessees, or both, of said mineral rights shall pay to the Government and its cooperators a royalty of not less than 2½ per cent of the sale value of any potash minerals and oil therefrom, said payments to continue until such time as the total amount derived from said royalty is equal to not more than the cost of the exploration, as may be determined by the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That all Federal claims for reimbursement under this act shall automatically expire 20 years from the date of approval of the contracts entered into, in accordance with the provisions thereof, unless sooner terminated by agreement between the owners or lessees of the potash mineral rights and oil and the Secretary of the Interior and the Secretary of Commerce jointly: *Provided further*, That said contract or contracts shall not restrict the Secretary of the Interior and the Secretary of Commerce jointly in the choice of drilling locations within the property or in the conduct of the exploratory operations, so long as such selection or conduct do not interfere unreasonably with the surface of the land or with the improvements thereof, and said contract or contracts shall provide that the United States shall not be liable for damages on account of such reasonable use of the surface as may be necessary in the proper conduct of the work."

Mr. SHEPPARD. Mr. President, the object of this bill is to correct an error in the existing act. A similar bill is on the Senate Calendar, and I ask that this bill be substituted for it.

The PRESIDENT pro tempore. What is the number of the bill?

Mr. SHEPPARD. It is Order of Business 1446.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent to substitute for Order of Business 1446 the bill from the House of Representatives which has just been stated. Without objection, it is so ordered.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 5034, Order of Business 1446, will be regarded as indefinitely postponed.

DONATION OF BRASS CANNON TO VETERANS OF FOREIGN WARS

The bill (H. R. 1130) authorizing the Secretary of War to donate to the Wayne County Council of the Veterans of Foreign Wars, of Detroit, State of Michigan, two obsolete brass cannons, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the War Department be authorized through its Chief of Ordnance to issue and donate two obsolete brass cannons, from the supply available for such donation, to the Wayne County Council of the Veterans of Foreign Wars, General Motors Building, Detroit, Mich.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHILOH NATIONAL MILITARY PARK

The bill (H. R. 10504) to amend the act approved June 4, 1897, by authorizing an increase in the cost of lands to be embraced in the Shiloh National Military Park, Pittsburg Landing, Tenn., was considered as in Committee of the Whole.

Mr. WADSWORTH. Mr. President, the Senate may be interested in knowing that as the result of an error made somewhere in the course of procedure by which bills are presented to the President for his signature at the close of the session, this bill—House bill 10504—was signed by President Coolidge last spring, although it had not passed the Senate. The question arises as to what the Senate now should do with respect to it, now that it appears upon our calendar in due form, having passed the House.

I think this statement is warranted at this time in order that it at least may be shown in the CONGRESSIONAL RECORD that the bill reached the President by error, and that he signed it not realizing that it had not passed both Houses.

I hope, therefore, that this bill—which, I think, is a good bill—will be passed by the Senate, in order that the President may have an opportunity to sign a bill that is passed by both Houses.

Mr. FLETCHER. Would it not be enough to have the Senate pass it and keep it here?

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 4390) to amend section 15a of the act to regulate commerce in respect to certain common-carrier railroads, and for other purposes, was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

DUMPING OF FARM PRODUCE

The bill (H. R. 10510) to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them was announced as next in order.

Mr. BRUCE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. BRUCE subsequently said: I withdraw my objection, Mr. President. I objected to that bill under a misapprehension. There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NONCOMMISSIONED OFFICERS IN THE FIRST GRADE

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2081) placing certain noncommissioned officers in the first grade, which was, on page 1, line 6, after "list," to insert "electrician sergeants, first class, Coast Artillery Corps, retired;"

Mr. SHORTRIDGE. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PAINTING OF SHIPS OF UNITED STATES NAVY

The bill (H. R. 3791) to purchase a painting of the several ships of the United States Navy in 1891 and entitled "Peace" was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS OF DELAWARE INDIANS

The bill (H. R. 15602) to amend the last paragraph of an act entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right to appeal to the Supreme Court of the United States," was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

UNITED STATES INDIAN SCHOOL FARM NEAR PHOENIX, ARIZ.

The bill (H. R. 15906) to authorize the purchase of land for an addition to the United States Indian school farm near Phoenix, Ariz., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHALMETTE MONUMENT, CHALMETTE, LA.

The bill (H. R. 10662) authorizing an appropriation for the construction of a roadway and walk leading to and around the Chalmette Monument, Chalmette, La., was considered as in the Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL WEMMER

The bill (H. R. 9787) to correct the military record of Samuel Wemmer was considered as in the Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ZUNI INDIAN RESERVATION, N. MEX.

The bill (S. 5353) to authorize an appropriation for a road on the Zuni Indian Reservation, N. Mex., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there is hereby authorized an appropriation of \$8,000, out of any money in the Treasury not otherwise appropriated, for the construction of that portion of the Gallup-St. Johns highway within the Zuni Indian Reservation, N. Mex., under the direction of the Secretary of the Interior and in conformity with such rules and regula-

tions as he may prescribe: *Provided*, That Indian labor shall be employed so far as practicable.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF SIOUX TRIBE OF INDIANS

The bill (H. R. 13503) authorizing and directing the Secretary of the Interior to investigate, hear, and determine the claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 9, after the words "South Dakota," to strike out "Fort Peck, in the State of Montana," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to investigate, hear, and determine the claims of the individual Indians whose names are enrolled on the approved rolls of the following Indian agencies: Rosebud, Pine Ridge, Lower Brule, Crow Creek, Cheyenne River, Yankton, Sisseton, and Flandreau, in the State of South Dakota; Fort Totten, in the State of North Dakota; Standing Rock, in the States of North and South Dakota; and Santee, in the State of Nebraska: *Provided*, That the Secretary of the Interior is authorized to make all rules and regulations necessary to carry out the provisions of this act: *Provided further*, That the claims which shall be investigated under this act shall be individual claims for allotments of land, and for loss of personal property or improvements where the claimants or those through whom the claims originated were not members of any band of Indians engaged in hostilities against the United States at the time the losses occurred. If any such claims shall be considered meritorious, the Secretary of the Interior shall adjust same where there is existing law to authorize their adjustment, and such other meritorious claims he shall report to Congress with appropriate recommendation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PER CAPITA PAYMENTS TO INDIANS OF CHEYENNE INDIAN RESERVATION, S. DAK.

The bill (H. R. 16212) to authorize per capita payments to the Indians of the Cheyenne River Reservation, S. Dak., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MIGRATORY BIRD REFUGE, BEAR RIVER BAY, UTAH

The bill (S. 5454) authorizing the establishment of a migratory bird refuge at Bear River Bay, Great Salt Lake, Utah, was considered as in Committee of the Whole.

Mr. FLETCHER. That bill appears to have been reported with an amendment.

Mr. PHIPPS. There is no amendment in the bill.

The PRESIDENT pro tempore. The calendar shows the bill to have been reported with an amendment.

Mr. PHIPPS. Without amendment. There must be a misprint in the calendar, if it so states.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to construct at Bear River Bay and vicinity, Utah, such dikes, ditches, spillways, buildings, and improvements as may be necessary, in his judgment, for the establishment of a suitable refuge and feeding and breeding grounds for migratory wild fowl, also to purchase water rights and privately owned lands, including the improvements thereon, deemed necessary by him for the purpose, or, in lieu of purchase, to compensate any owner for any damage sustained by reason of the submergence of his lands.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$350,000, which shall be available until expended for the above purposes and for all necessary incidental expenses, including the compensation of employees and office expenses in the city of Washington and elsewhere: *Provided*, That no obligation shall be incurred or expenditure made in the State of Utah unless or until the legislature of that State shall have consented to the acquisition of such lands by the United States and shall have granted to the United States the use of any lands owned or controlled by it in Bear River Bay, Utah, and vicinity, which the Secretary of Agriculture may deem necessary for carrying out the purposes hereof.

SEC. 3. Lands so purchased, or the use of which is so acquired, together with such lands of the United States as may be designated for the purpose by proclamation or Executive order of the President, shall constitute a migratory bird refuge and be subject to the provisions of section 84 of the Penal Code of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALLOTMENT OF LANDS OF CROW TRIBE OF INDIANS

The bill (S. 5509) to amend section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes,'" was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 2, after line 2, to strike out "And provided further, That no lease of farming or grazing lands now in force or hereafter made shall be renewed or any of the lands embraced within the same be re-leased prior to six months of the expiration of the term of such lease," and to insert: "And provided further, That no lease of grazing lands now in force or hereafter made shall be renewed, or any of the lands embraced within the same be re-leased prior to one year before the termination of such lease: And provided further, That no lease of farming lands now in force or hereafter made shall be renewed, or any of the lands embraced within the same be re-leased prior to 18 months before the termination of such lease," so as to make the bill read:

Be it enacted, etc., That section 1 of the act approved May 26, 1926, entitled "An act to amend sections 1, 5, 6, 8, and 18 of an act approved June 4, 1920, entitled 'An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes,'" be, and it hereby is, amended by inserting in section 1, after the sentence reading "No lease shall be made for a period longer than five years," the following:

And provided further, That no lease of grazing lands now in force or hereafter made shall be renewed, or any of the lands embraced within the same be re-leased prior to one year before the termination of such lease: *And provided further*, That no lease of farming lands now in force or hereafter made shall be renewed, or any of the lands embraced within the same be re-leased prior to 18 months before the termination of such lease.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE, NORTHERN DISTRICT OF CALIFORNIA

The bill (S. 4328) to authorize the appointment of an additional judge for the district court of the United States for the northern district of California was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the President is hereby authorized, by and with the advice and consent of the Senate, to appoint a judge to fill a vacancy created in the district court of the United States for the northern district of California, occasioned by the death of Hon. John S. Partidge, who was appointed as an additional judge in said district under the provisions of the act of Congress entitled "An act for the appointment of an additional circuit judge for the fourth judicial district, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes," approved September 14, 1922.

SEC. 2. The judge appointed hereunder shall reside in said district and his compensation and powers shall be the same as now provided by law for the judges of said district.

SEC. 3. This act shall take effect immediately.

Mr. JONES of Washington. Mr. President, I should like to have some explanation as to the necessity of this judge. I want to say that I have introduced a bill for an additional judge for western Washington, and it seems to me that a very strong case has been made, but I get no report from the committee. The two judges there, everybody recognizes, are exceedingly overworked. They are nearly working themselves to death. I want to see what different condition there may be here to justify the action of the committee in reporting for an extra judge here without taking care of the situation in Washington.

Mr. SHORTRIDGE. Mr. President, I introduced the bill which was considered by the committee of which the Senator from Montana [Mr. WALSH] is a member, who has reported the bill favorably.

It may well be that the district spoken of by the Senator from Washington needs an additional judge, and I shall very cheerfully vote for it if the matter comes before the Senate. This bill does not add, in effect, to the number of judges in that district. It is intended immediately to fill the vacancy created by the death of Judge Partridge. It is not adding to the total number. The number was three. He being dead, under the law, it is necessary to pass this bill.

Mr. JONES of Washington. I see. Of course that is quite a different situation from mine.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL JUDGE, EASTERN DISTRICT OF MICHIGAN

The bill (S. 5352) to provide for one additional district judge for the eastern district of Michigan was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, one district judge for the eastern district of Michigan in addition to those now authorized by law. He shall be entitled to receive the same salary, payable in the same manner, as is now provided for district judges in said district. This additional district judge shall reside within said district and shall be subject to the general provisions of law relating to district judges of the United States.

Mr. JONES of Washington. Mr. President, I desire to ask whether this is similar to the California situation?

Mr. COUZENS. No; that is a different proposition, Mr. President. The Senator from Montana [Mr. WALSH] made a very careful analysis of this case, and consulted with the Federal judges, and became convinced that with the great growth of Detroit and the district thereabouts we needed an extra judge. The population has grown over 500,000 since the last census.

Mr. WALSH of Montana. Mr. President, there was no division in the Committee on the Judiciary as to the wisdom and necessity for this increase in judges in the State of Michigan. The growth of that great city has been something phenomenal, as everyone is aware. The interests involved are very great. The work devolving upon the judge is exceedingly burdensome, and this is by all odds a meritorious bill.

Mr. JONES of Washington. May I ask the Senator what principle the committee followed in determining what bills of this character they would report? As I say, I know that the business in western Washington is extremely heavy. The judges are working day and night and are away behind in their business, so I assume that the committee determined what were extreme cases in order to report favorably in those cases.

Mr. WALSH of Montana. I could not say that any principle is involved. In fact, it is difficult to establish any principle in these matters. We are trying to do the best we can. We may have made a mistake in not reporting the bill for western Washington, but I think the committee was impressed with the view that three judges for Washington ought to do the business of that State fairly well.

Mr. JONES of Washington. Of course, we have two districts.

Mr. WALSH of Montana. Quite so.

Mr. JONES of Washington. In the western district we have two judges. As I say, I know—of course, I do not know this from personal contact—that the report of the attorneys always is that the judges are overworked, and I know that the judges do work early and late, and yet they are away behind with the business; and so I thought there may have been some special reason—

Mr. WALSH of Montana. I want to say to the Senator that the committee has rather resolutely adhered to the view that each of these bills for additional judges ought to stand on its own merits and that nothing like an omnibus bill, characterized by log-rolling methods and things of that kind, ought to be passed.

Mr. JONES of Washington. I think that policy of the committee is wise; and so I wanted to find out, if possible, the peculiar circumstances that led the committee to report this bill but not to act upon some other bills.

Mr. BRUCE. Mr. President, if the Senator from Washington will yield, I should like to ask the Senator from Montana a question. What is the hope of having the House pass any of these bills for special judges? I was interested in one for the district of Maryland. It passed the Senate months and months ago. It has gone over to the House, and there it has not budged an inch; and I venture to say that there is no more pressing need for an additional judge in any district of the United States than in the district of Maryland.

Mr. WALSH of Montana. I quite agree with the Senator.

Mr. SWANSON. Mr. President, I must insist that Senators either object or not object.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

Mr. SWANSON. No; I do not object, but I want to have Senators say either that they object or that they do not object, in order to save time.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MOUNT MCKINLEY NATIONAL PARK

The bill (S. 5006) to repeal the last proviso of section 7 of an act to establish the Mount McKinley National Park, in the Territory of Alaska, approved February 26, 1917, was considered as in Committee of the Whole, and was read, as follows:

That the last proviso of section 7 of an act entitled "An act to establish the Mount McKinley National Park, in the Territory of Alaska," approved February 26, 1917, which is in the words and figures following: "Provided, That no appropriation for the maintenance of said park in excess of \$10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

Mr. KING. Mr. President, I should like to make an inquiry in regard to this bill.

Mr. WILLIS. I think I can explain the necessity for passing the bill.

Mr. KING. It seems to me we are getting entirely too many national parks. If this is an additional one, I shall object.

Mr. WILLIS. No, Mr. President; this bill does not establish an additional national park. The reason for passing this bill is clearly stated by the Secretary of the Interior. Under the law as it now stands, there is a limitation relative to the appropriation—I am quoting from the bill—

Provided, That no appropriation for the maintenance of said park in excess of \$10,000 annually shall be made unless the same shall have first been expressly authorized by law.

In the letter from the Secretary of the Interior he calls attention to the fact that because of the peculiar conditions of climate there, it is not possible to proceed with the construction of roads under this limitation. This bill was prepared in the Interior Department, and introduced by me at the request of the Secretary of the Interior.

I ask unanimous consent that the report of the committee, which incorporates the letter from the Secretary of the Interior, be inserted in the RECORD at this point as part of my remarks. I have stated the substance of the letter.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The report submitted by Mr. WILLIS on February 15, 1927, is as follows:

Report [to accompany S. 5006]

The Committee on Territories and Insular Possessions having had under consideration the bill (S. 5006) providing for a repeal of part of section 7, of an act to establish the Mount McKinley National Park, report it back without amendment and recommend that the bill do pass. The committee through a subcommittee investigated this situation very carefully and was thoroughly convinced that the change proposed in S. 5006 is justifiable. The specific reasons for the enactment of this legislation are set forth in the attached copy of letter from the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, December 22, 1926.

HON. FRANK B. WILLIS,

Chairman Committee on Territories and Insular Possessions,
United States Senate.

MY DEAR MR. WILLIS: I have the honor to submit herewith for your consideration and introduction, if deemed proper, draft of proposed bill to remove the limitation of \$10,000 on annual appropriations for maintenance of the Mount McKinley National Park.

The removal of this limitation on maintenance appropriations becomes necessary at this time on account of the road-building program in this park under funds appropriated and authorized to be appropriated by the act of Congress approved April 9, 1924 (43 Stat. 90). Under this program approximately 20 miles of completed road in this park will be on a maintenance basis during the summer of 1928.

It requires from three to four years for a subgrade road to become completely thawed out, drained, and stabilized. During these years maintenance will be fairly heavy, involving removal of slides, clearing of ditches, trimming down frost heaves, filling up low spots, and renewing gravel ballast which has penetrated into the thawed subgrade. It will therefore be necessary to submit estimates for maintenance work in this park to be done during the 1929 fiscal year that will probably exceed \$10,000, and unless the limitation as to maintenance appropriations is removed it will not be possible to submit the same with the regular estimates for the National Park Service for that fiscal year.

This measure has been submitted to the Director of the Bureau of the Budget, and on December 28, 1925, he advised that the same is not in conflict with the financial program of the President.

By letter of even date I have also forwarded a similar communication and recommendation to the chairman of the Committee on Territories of the House of Representatives.

Very truly yours,

HUBERT WORK.

Mr. WILLIS. The bill does not establish a new park. It simply provides for a continuation of the work in the park already existing.

Mr. KING. I think the Senator will agree with me that we have gone perfectly mad in the establishment of these parks throughout the United States.

Mr. WILLIS. I think probably that is true; but this bill does not establish one.

Mr. JONES of Washington. Mr. President, may I make a suggestion? I was reading the report, and I see that they have constructed some roadways in the park; and in the first two or three years the cost of maintenance is extremely high. The limitation of \$10,000 a year would hardly be just in this instance.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

A. MORO AND ANTHONY CAMPBELL

The bill (S. 4720) to relinquish to its equitable owners the title of the United States to the land in the claims of A. Moro and of Anthony Campbell in Jackson County, Miss., was announced as next in order.

Mr. HEFLIN. Mr. President, I desire to have the bill which has passed the House, and has just come over to the Senate, substituted for the Senate bill.

The PRESIDENT pro tempore. House bill 14881, which is identical with the Senate bill, will be substituted.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider House bill 14881, to relinquish to its equitable owners the title of the United States to the land in the claims of A. Moro and of Anthony Campbell in Jackson County, Miss.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS

Mr. NORBECK. Mr. President, I ask unanimous consent that we return to Order of Business 1484, House bill 16461, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war. I ask that we return to that merely for an amendment of the title.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the title was amended so as to read:

An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war and other wars.

INDIAN WARS PENSIONS

Mr. NORBECK. Mr. President, I understand objection will be withdrawn to the consideration of the Indian wars pension bill, and I therefore ask that that be taken up.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12532) granting pensions to certain soldiers who served in the Indian wars from 1859 to 1898, and for other purposes.

Mr. FLETCHER. When the bill went over the pending question was on my motion to amend. The amendment was to change "1859" to "1817" wherever it appeared in the bill.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. On page 1, line 10, to strike out "1859" and to insert "1817."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read:

An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes.

COTTON STATISTICS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4746) authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton, which was on page 4, after line 21, to insert:

Sec. 5. That, of the reports issued by the Secretary of Agriculture, pursuant to the act entitled "An act authorizing the Department of Agriculture to issue semimonthly cotton-crop reports and providing for their publication simultaneously with the ginning reports of the Department of Commerce," approved May 3, 1924, only five shall be issued hereafter, one as of August 1, one as of September 1, one as of October 1, one as of November 1, and one as of December 1, each of which shall state the condition and progress of the crop and the probable number of bales which will be ginned, these reports to be issued simultaneously with the cotton-ginning reports of the Bureau of Census relating to the same dates, the two reports to be issued from the same place at 11 a. m. of the eighth day following that to which the respective reports relate. When such date of release falls on Sunday or a legal holiday the report shall be issued at 11 o'clock a. m. of the next succeeding workday.

Sec. 6. The Secretary of Agriculture shall cause to be issued a report on or before the 10th day of July of each year showing by States and in toto the number of acres of cotton in cultivation on July 1, to be followed on September 1 and December 1 with an estimate of the acreage of cotton abandoned since July 1.

Mr. MAYFIELD. I move that the Senate concur in the House amendment.

The motion was agreed to.

CAPT. REGINALD ROWAN BELKNAP

The bill (S. 5511) authorizing the President to appoint Capt. Reginald Rowan Belknap, United States Navy, retired, a rear admiral on the retired list of the Navy, was considered as in Committee of the Whole.

Mr. ODDIE. Mr. President, in relation to this measure, I will state that Captain Belknap was in command of the mine-laying squadron in the North Sea.

Mr. WALSH of Massachusetts. Mr. President, I do not understand any objection has been made to the bill.

Mr. KING. I reserve the right to object.

Mr. ODDIE. The work of Captain Belknap has been described as one of the most splendid accomplishments of the war.

Mr. PITTMAN. Mr. President, will my colleague yield?

Mr. ODDIE. I yield.

Mr. PITTMAN. I have given very careful consideration to this whole record, and have read the report of the department, and I hope the Senator from Utah will allow the bill to go through. It is the most meritorious case I have investigated.

Mr. KING. Mr. President, I am besieged by so many that I capitulate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

O. H. CHRISP

The bill (S. 3570) for the relief of O. H. Chrisp was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$27,500" and to insert in lieu thereof "\$10,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to O. H. Chrisp, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, being damages for personal injuries due to the negligence of the Director General of Railroads on January 17, 1919, at Crawfordsville, Ark.

Mr. JONES of Washington. Mr. President, I should like to have some explanation as to why that amount is carried in this measure. I know in a great many cases where a person has lost his life we give only \$5,000.

Mr. ROBINSON of Arkansas. Mr. President, this is a bill of my colleague, the junior Senator from Arkansas [Mr. CARAWAY]. My attention had not been called to it until a moment ago.

I find from the report that the claimant was a brakeman on the Missouri Pacific Railroad, and was injured while the railroad was under Federal control. He instituted an action at

law and recovered a judgment for \$27,500. It developed that the Director General was not a party to the suit. When the decision was rendered holding that he was a necessary party, the claim was barred by the statute of limitations, so this bill is to allow him to receive compensation for the injury for which he had recovered a judgment against the railroad company. The committee, however, reduced the amount from \$27,500, which he recovered in the court, to \$10,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. REGINALD ROWAN BELKNAP

Mr. ODDIE. Mr. President, I find that the last bill on the calendar is House bill 16703, to appoint Capt. Reginald Rowan Belknap, United States Navy, retired, a rear admiral on the retired list of the Navy. I ask that the vote by which the Senate bill was passed be reconsidered, and that the House bill be substituted for the Senate bill.

Mr. WADSWORTH. Mr. President, I do not intend to offer an objection, but I reserve the right to object just to enable me to make a statement.

In my judgment, Captain Belknap deserves this recognition; but for one having a concern for fair treatment and equal treatment of officers of the Navy and of the Army I regret to see these recognitions and legislative commendations passed by special bill, one officer at a time, without any general provision of law.

The Captain Belknap bill is going through because his friends have been able to enlist the interest of a sufficient number of Members of the House and of the Senate. Yet there are men in both the Navy and the Army who performed services of far greater distinction, may I say, with no reflection upon Captain Belknap, than did he. Yet we can not get through for them, in the form of a general statute, the slightest degree of recognition.

There is Admiral Sims, who has no recognition of any kind from his Government for his extraordinary services in the war. The Chief of Naval Operations during the war, who carried responsibilities far greater than those of Captain Belknap, has received no recognition. Maj. Gen. Hunter Liggett commanded 500,000 American soldiers all through the Argonne, and he went to the retired list without any promotion whatsoever. Major General Bullard commanded 300,000 men in the Argonne and elsewhere, and went to the retired list with no recognition from his Government. Major General Dickman commanded the Third Field Army, the entire army of occupation in Germany, and has gone to the retired list with no recognition whatsoever.

However, we pass other bills whose beneficiaries have friends with no regard whatsoever to the equality of treatment of naval officers and Army officers who have served their country in highest positions of responsibility.

I make no objection to this bill, but I point it out as an instance of how a bill in favor of one man, who incidentally deserves recognition, can go through, whereas bills which the Senate Committee on Military Affairs has reported upon former occasions of a general character—and the Senator from Tennessee, General TYSON I call him, knows what I am talking about, because he is the author of one of them—we can get no action on.

Mr. SWANSON. Mr. President, so far as the Committee on Naval Affairs is concerned, we have taken the ground that we should not have any general legislation so as to leave the matter of promoting men to the caprice of the Navy Department.

Mr. WADSWORTH. It was not to be left to the department. It was an act of Congress that we proposed.

Mr. SWANSON. Even when it is an act of Congress, we are not in favor of promoting everybody.

Mr. WADSWORTH. Neither are we.

Mr. SWANSON. Here is the man who destroyed the German submarines. Here is the man who cleared the North Sea at the risk of his life. Everybody knows the submarines were imperiling the navies and the commerce of the world, and he cleared the North Sea and destroyed the submarines or bottled them up. So we thought he ought to be retired as a rear admiral.

Mr. WADSWORTH. I agree with that, but there are other men of just as high distinction.

Mr. SWANSON. The Navy knows nothing about these other men.

Mr. WADSWORTH. The Navy does not know anything about Admiral Sims?

Mr. SWANSON. They were willing to give Admiral Sims the rank of vice admiral, but he did not want the Chief of Operations to get it, and he did not want the commander of the fleet to get it. Between the wrangling of the three, each opposed to the other, none of them got it.

Mr. BRUCE. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made to the consideration of the bill.

Mr. BRUCE. That will stop this discussion.

Mr. WADSWORTH. I withdraw my objection to the House bill. I merely wanted to bring the attention of the Senate to what I have stated.

The PRESIDENT pro tempore. Is there objection to reconsidering the vote by which Senate bill 5511 was passed, and substituting the House bill for the Senate bill?

There being no objection, the vote was reconsidered, and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16703) authorizing the President to appoint Capt. Reginald Rowan Belknap, United States Navy, retired, as a rear admiral on the retired list of the Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 5511 will be indefinitely postponed.

EDWARD J. HENNING

The bill (S. 5078) authorizing Edward J. Henning, United States district judge for the southern district of California, to accept the decoration and diploma tendered to him by His Majesty the King of Italy, was announced as next in order.

Mr. OVERMAN. I would like to know why a United States judge has to have a diploma from an Italian king.

Mr. BRUCE. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. SHORTRIDGE. On some appropriate occasion, Mr. President, I shall make answer to the question propounded by my lovable friend from North Carolina.

Mr. BRUCE. Regular order.

Mr. SHORTRIDGE. It will be very regular in about one minute. This proposed decoration was extended to Mr. Henning when he was Assistant Secretary of Labor. He performed very splendid service for our country, which seemed to have been appreciated by the Italian Government.

PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA

The bill (S. 5533) to regulate the height and exterior design and construction of public and private buildings in the National Capital fronting on or located within 200 feet of a public building or public park, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 3, line 4, at the end of the bill to insert a proviso as follows: "Provided, That buildings fronting on or located opposite Lafayette Square shall not exceed in height 85 feet, but when the height is to be in excess of 40 feet the exterior design and construction shall be first approved by the Commission of Fine Arts," so as to make the bill read:

Be it enacted, etc., That in accordance with the provision of paragraph 17 of section 8 of Article I of the Constitution that "Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district as may become the seat of government of the United States"; and in keeping with the spirit of the laws, agreements, and acts establishing the National Capital, at which time the original owners formally agreed, "in consideration of the great benefits expected," upon conveyance to the President of "all the lands he might think proper to include within the Federal City," with "the sole power of laying off said city in what manner he pleased and to retain any number of squares he might think proper for public use," and that the conveyance of lots to any purchasers should be "on such conditions as thought reasonable by the President for regulating the materials and manner of the buildings and improvements generally in the said city, or in particular streets or parts thereof for convenience, safety, and order"; and in consideration of the special benefits inuring to the owners of adjacent property by the construction of public buildings and by the establishment of parks and reservations, of such character and such surroundings as befit the dignity of the buildings and public grounds of this Nation's Capital; hereafter no permit shall be granted for the erection or alteration of any building in the District of Columbia which is or is to be more than 40 feet in height above the grade of the street, and any portion of which is to front upon or be located within 200 feet of any public building or any public park, parkway, or reservation, except space for street parking, until the plans therefor, so far as they relate to height and exterior design and construction, have been submitted to and approved by the Commission of Fine Arts, and the erection or alteration of any building so located shall

conform to the plans so approved: *Provided*, That buildings fronting on or located opposite Lafayette Square shall not exceed in height 85 feet, but when the height is to be in excess of 40 feet the exterior design and construction shall be first approved by the Commission of Fine Arts.

The amendment was agreed to.

Mr. KING. Mr. President, I would like to ask the chairman of the committee whether this is retroactive.

Mr. CAPPER. It is not. The Senator from New York [Mr. COPELAND] is in charge of the bill.

Mr. KING. It is not to be retroactive?

Mr. COPELAND. No. The chief offender is the Government, in building the Veterans' Bureau building, but this building on Lafayette Square everybody agrees to, architects and all. We had a hearing, and I think everybody is satisfied with it.

Mr. KING. What I had in mind is whether it was retroactive and would affect the hotel that is going up.

Mr. COPELAND. On Lafayette Square?

Mr. KING. Yes.

Mr. COPELAND. That is to go to 85 feet, the same height as the Chamber of Commerce, next door.

Mr. KING. Is that satisfactory?

Mr. COPELAND. It is satisfactory.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAN AMERICAN PEOPLES GREAT HIGHWAY COMMISSION

The bill (S. 5031) to provide for the creation of the Pan American Peoples Great Highway Commission, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc.,

ORGANIZATION AND ADMINISTRATION

SECTION 1. (a) There is hereby established a commission to be known as the Pan American People's Great Highway Commission (hereinafter in this act referred to as the commission), and to be composed of the following:

- (1) The Secretary of State.
- (2) The Secretary of the Treasury.
- (3) The Secretary of War.
- (4) The Attorney General.
- (5) The Postmaster General.
- (6) The Secretary of the Navy.
- (7) The Secretary of the Interior.
- (8) The Secretary of Agriculture.
- (9) The Secretary of Commerce.
- (10) The Secretary of Labor.
- (11) The Director General, Pan American Union.

(12) Three individuals appointed by the President, by and with the advice and consent of the Senate. The President shall appoint one of the individual commissioners as chairman of the commission. No more than two of such individuals shall be from the same political party. (b) The three individual commissioners shall constitute an executive committee and carry on such work as may be directed by the commission. (c) Vacancies in the commission shall not impair the power of the remaining members to execute the functions of the commission, and shall be filled in the same manner as the original appointments. A majority of the commissioners shall constitute a quorum for the transaction of the business of the commission. (d) The commission—

- (1) Shall maintain its principal office in the District of Columbia.
- (2) Shall have an official seal which shall be judicially noticed.
- (3) May accept the services of any person without compensation.

SALARIES

SEC. 2. Each appointed commissioner shall receive compensation at the rate of \$10,000 per annum, payable monthly, together with necessary traveling expenses and expenses incurred for subsistence or per diem allowance in lieu thereof, within the limitations prescribed by law, while away from his official residence in the performance of duties required by this act. The commissioners ex officio shall receive no additional compensation for their services as commissioners.

PERSONNEL AND EXPENDITURES

SEC. 3. The commission may, (1) without regard to the civil service laws, appoint a consulting engineer, with or without salary; and if paid a salary shall receive \$6,000 per annum; (2) appoint a chief engineer who shall receive a salary at the rate of \$6,000 per annum; and (3) appoint, without regard to the civil service laws and without regard to the classification act of 1923, fix the salaries of such technical assistants and experts, translators, and such other officers, employees, and agents, and make such expenditures, including expenditures for personal services and rent at the seat of the Government and elsewhere; for law books, books of reference and periodicals; maps and

mapping; engineers' surveys; printing, binding, and mailing, and other equipments as may be found necessary for the execution of the functions vested in the commission; and as may be provided for by the Congress from time to time. All expenditures of the commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman.

SPECIAL DUTIES OF THE INDIVIDUAL COMMISSIONERS

SEC. 4. (a) It shall be the immediate duty of the individual commissioners, in a body or singly, and at various times, to visit Mexico, Guatemala, Salvador, Honduras, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, Brazil, Ecuador, Peru, Bolivia, Chile, Paraguay, Uruguay, Argentina, and Canada and explain fully to the various government officials the purposes for which the commission is created; (b) to confer with the government officials of the 17 Republics; determine means and plans to promote and procure the establishment and upkeep of a continuous improved highway to be opened in the shortest possible time for lawful traffic from Canada across the United States and across the 17 Republics; to link together the capitals of the 19 countries by the main highway or by a branch highway; that the highway should be in every particular an up-to-date first-class surfaced highway, built of the best permanent materials and workmanship known in highway construction suitable for automobile and motor-truck traffic and other lawful traffic; that the rights of way through the tropical forests and jungle should be in width fully 200 feet or more, with at least a 24-foot surfaced highway located wherever most desirable on the right of way; that it is of special importance that the right of way through the dense forests and jungle should be kept clean of brush and trees in order to afford a possible landing place for aircraft when suddenly forced down by storms, engine trouble, lack of fuel, or other causes, and that regular landing fields should be provided for at proper locations along the highway; that the dirigible is obviously soon to become an important factor in the transport of passengers, mails, and express freights within as well as between the nations; that the highway should afford an opportunity for a safe forced landing and for securing aid from people near the accident; that it is plain that the automobile, motor truck, and aircraft are a necessary equipment for the peoples and governments of all of the nations, and that the highway is as important for one as for another nation in the development of country, of commerce, and of social, economical, and political affairs; that upon all of the peoples and their respective governments the construction and upkeep of the highway within their respective borders shall rest entirely; that the commission, cooperating with the officials of the various nations, may give its friendly approval to plans for construction and upkeep of the highway along the most direct and feasible route from border to border, and give its moral support to the various republics which may issue highway bonds or other class of financial obligations in order to secure funds from bankers and financial houses to cover construction and maintenance of such parts of the highway approved; (c) the commission shall confer with Canadian officials and determine which border point presents the most advantageous junction with Canadian highways, now in operation or under construction; for example, in case that Detroit, Mich., and Windsor, Canada, are selected as the most advantageous connecting point for the junction of the highway with the Canadian highways, or any other place or point; (d) the commission is authorized to make preliminary examinations with the view to the construction of the highway from such Canadian junction point as designated by the commission, and running in a southerly direction to the Mexican frontier; the highway route to be as direct as practicable between such points except where, in the judgment of the commission, physical conditions, excessive costs, or other reasons render deviation necessary; making use of any part of the route for the international highway any local highway or portion thereof which has been constructed or is under construction; (e) the commission shall confer with the Government officials of Mexico and, with their sanction, determine the border point presenting the most advantageous junction with Mexican highways now in operation or under construction, to cross Mexico to the Guatemala frontier. For example, in case that Laredo, Tex., and Laredo, Mexico, are agreed upon as the most advantageous junction point, then, the commission will complete its studies of the proposed cross-country highway from Canada to the Mexican border. The highway from Canada to the Mexican border shall be named the Pan American peoples great highway; (f) the commission and its engineers shall offer their personal assistance in all matters to hasten the work in all of the countries, the object being to stimulate the interest in the project; secure surveys, and actual construction to be commenced as near simultaneously as possible within all countries.

REPORT

SEC. 5. The commission shall submit to the Congress a preliminary report of the examinations, maps, and surveys of the proposed highway across the United States; reports of understandings with the respective officials of the 18 countries named, on or before two years after the passage of this act; and may make from time to time such other reports as the commission may deem advisable.

APPROPRIATION

SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000 to be available until expended for expenses incurred in the administration of the functions vested in the commission by this act. The terms of office of the three individual directors shall expire, one at the end of the fourth year, one at the end of the fifth year, and one at the end of the sixth year after the date of their appointment conditionally that they may be removed at the pleasure of the President. Other members of the commission appointed by virtue of their official positions, shall serve as such members only during their incumbency in their respective offices. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of his predecessor.

LIABILITY OF THE UNITED STATES

SEC. 7. The United States shall assume no liability, directly or indirectly, for the construction, equipment, and upkeep of the proposed highway beyond its borders.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARGES OF SALE OF POLITICAL INFLUENCE

The resolution (S. Res. 338) to investigate the charges of barter and sale of political influence in connection with Federal appointments was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

The PRESIDENT pro tempore. The resolution will go over.

GORGAS MEMORIAL LABORATORY

The bill (S. 5449) to authorize a permanent annual appropriation for the maintenance of the Gorgas Memorial Laboratory was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there is authorized to be permanently appropriated for each year, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000, to be paid to the Gorgas Memorial Institute of Tropical and Preventive Medicine (Inc.), for the maintenance of the Gorgas Memorial Laboratory, upon condition (1) that the Republic of Panama complete the construction of such laboratory upon the site donated by such Republic for the Research Institute at Panama of the Gorgas Memorial Institute of Tropical and Preventive Medicine; (2) that South American and Central American governments contribute annually for the maintenance of such laboratory sums equaling in the aggregate one-half the annual appropriation authorized by this act; and (3) that the United States be represented permanently on the board or council directing the administration of such laboratory on an equality with the South American and Central American governments contributing to the maintenance of such laboratory. The Gorgas Memorial Institute of Tropical and Preventive Medicine shall make a full report to Congress on the first Monday of December of each year as to the administration of the Gorgas Memorial Laboratory.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAY TO SURGEONS ON ALASKA RAILROAD

The joint resolution (H. J. Res. 96) to authorize the President to pay to surgeons employed on the Alaska Railroad such sums as may be due them under agreement with the Alaskan Engineering Commission or the Alaska Railroad was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID BARKER

The bill (H. R. 5082) for the relief of David Barker was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS MALEY

The bill (H. R. 8852) for the relief of Thomas Maley, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 12065) to amend the interstate commerce act and the transportation act, 1920, and for other purposes, was announced as next in order.

Mr. REED of Pennsylvania. Let that go over.

The PRESIDENT pro tempore. The bill will go over.

The bill (H. R. 15539) relating to certain cotton reports of the Secretary of Agriculture was announced as next in order. SEVERAL SENATORS. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

LIST OF INTERNAL REVENUE EMPLOYEES

Mr. HEFLIN. Mr. President, it is almost 11 o'clock, and I ask unanimous consent for the printing of a list of employees in the public debt section and the income tax unit of the Internal Revenue Department from January 1, 1926, to January 1, 1927, with their legal residences, salaries, and so forth, as contained in a letter of the Civil Service Commission sent in reply to Senate Resolution 345, introduced by me. I want to have it printed as a public document for the use of the Senate and House and the public.

Mr. CURTIS. I would like to know something about what it would cost. Why not let it go to the Committee on Printing?

Mr. HEFLIN. It has been referred to the committee, but the session is near its close and I want to be sure to have it printed.

The PRESIDENT pro tempore. The present occupant of the chair is no longer chairman of the Committee on Printing, but the Chair knows that the matter has not been referred to the Committee on Printing for any estimate of the cost.

ADDITIONAL REPORTS OF COMMITTEES

Mr. CARAWAY, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 16551) to permit the granting of Federal aid in respect of certain roads and bridges, reported it without amendment.

Mr. ODDIE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 14718) for the promotion and retirement of William H. Santelmann, leader of the United States Marine Band, reported it without amendment and submitted a report (No. 1675) thereon.

Mr. MEANS, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 12813) for the relief of the Bethlehem Shipbuilding Corporation (Ltd.) (Rept. No. 1676);

A bill (H. R. 17063) for the relief of C. G. Duganne and A. N. Ross (Rept. No. 1677);

A bill (H. R. 16311) for the relief of the First National Bank, Savanna, Ill. (Rept. No. 1678);

A bill (H. R. 17230) for the relief of Olof Nelson (Rept. No. 1679);

A bill (H. R. 16224) for the relief of the DeWitt County National Bank, of Clinton, Ill. (Rept. No. 1680);

A bill (H. R. 15181) for the relief of S. K. Truby (Rept. No. 1681);

A bill (H. R. 12623) for the relief of the owner of the steamer *Squantum* (Rept. No. 1682);

A bill (H. R. 12625) for the relief of the owner of scow 65H (Rept. No. 1683); and

A bill (H. R. 16080) for the relief of Calvin H. Burkhead (Rept. No. 1684).

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (H. R. 6588) for the relief of Franklin Mott Gunther, reported it without amendment and submitted a report (No. 1685) thereon.

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 5385) authorizing the Secretary of the Interior to issue patent to the county of Del Norte, State of California, to Whaler Island in Crescent City Bay, Del Norte County, Calif., for purposes of a public wharf (Rept. No. 1686);

A bill (H. R. 11487) granting a right of way to the county of Imperial, State of California, over certain public lands for highway purposes (Rept. No. 1687);

A bill (H. R. 15630) to amend section 10 of the act entitled "An act extending the homestead laws and providing for right of way for railroads in the District of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. L., p. 409) (Rept. No. 1688); and

A bill (H. R. 16110) to amend sections 2455 of the Revised Statutes of the United States, as amended, relating to isolated tracts of public land (Rept. No. 1689).

Mr. STANFIELD also, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 15018) validating certain applications for, and entries of public lands, reported it with an amendment and submitted a report (No. 1690) thereon.

He also, from the same committee, to which was referred the bill (S. 4239) for the relief of homestead settlers on the

drained Mud Lake bottom in the State of Minnesota, reported it with amendments and submitted a report (No. 1691) thereon.

INVESTIGATION OF CONTRACT WITH FRED HERRICK

Mr. STANFIELD, from the Committee on Public Lands and Surveys, reported the following resolution (S. Res. 379), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditure to be made under authority of Senate Resolution No. 332, agreed to January 31, 1927, be, and the same hereby is, increased from \$3,000 to \$4,255.82.

ADJOURNMENT

The PRESIDENT pro tempore. The hour of 11 o'clock having arrived, under the unanimous-consent agreement previously entered into, the Senate will stand in adjournment until 12 o'clock to-morrow.

Thereupon the Senate (at 11 o'clock p. m.) adjourned until to-morrow, Tuesday, March 1, 1927, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 28, 1927

COLLECTOR OF CUSTOMS

Joseph C. Swann, of Wedowee, Ala., to be collector of customs for Customs Collection District No. 19, with headquarters at Mobile, Ala., in place of A. R. Noble, whose term of office expired May 18, 1926.

UNITED STATES MARSHAL

Arthur R. Clark, of Illinois, to be United States marshal, eastern district of Illinois, vice James A. White, term expired.

PROMOTIONS IN THE NAVY

Lieut. Commander Arthur S. Dysart to be a commander in the Navy from the 7th day of December 1926.

Lieut. (Junior Grade) Albert C. Cook, jr., to be a lieutenant in the navy, from the 8th day of October, 1926.

Medical Inspector Thurlow W. Reed to be a medical director in the Navy, with the rank of captain, from the 1st day of July, 1926.

The following-named passed assistant dental surgeons to be dental surgeons in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1926:

Edward A. Hyland.

Robert M. Askin.

Dental Surg. Harry E. Harvey to be a dental surgeon in the Navy, with the rank of commander, from the 28th day of August, 1926.

Pay Inspector John N. Jordan to be a pay director in the Navy, with the rank of captain, from the 4th day of October, 1925.

The following-named pay inspectors to be pay directors in the Navy, with the rank of captain, from the 1st day of July, 1926:

Emory D. Stanley.

Joseph E. McDonald.

William J. Hine.

Thomas P. Ballenger.

Brantz Mayer.

Paymaster Smith Hempstone to be a pay inspector in the Navy, with the rank of commander, from the 28th day of August, 1926.

Machinist Clarence C. McDow to be a chief machinist in the Navy, to rank with but after ensign, from the 5th day of August, 1926.

POSTMASTERS

ARIZONA

Alfred R. Kleindienst to be postmaster at Winslow, Ariz., in place of A. R. Kleindienst. Incumbent's commission expires March 3, 1927.

CALIFORNIA

Paul Huneke to be postmaster at Lemoncove, Calif., in place of Paul Huneke. Incumbent's commission expired December 21, 1926.

George P. Ide to be postmaster at Orcutt, Calif., in place of G. P. Ide. Incumbent's commission expires March 3, 1927.

IDAHO

Wilber J. Selby to be postmaster at Eagle, Idaho, in place of L. E. Diehl, resigned.

ILLINOIS

Thomas Turigliatto to be postmaster at Benld, Ill., in place of Thomas Turigliatto. Incumbent's commission expired December 28, 1926.

A. Luella Smith to be postmaster at Chatham, Ill., in place of A. L. Smith. Incumbent's commission expired January 30, 1927.

William A. Fay to be postmaster at Jacksonville, Ill., in place of W. A. Fay. Incumbent's commission expires March 1, 1927. Catherine T. Mason to be postmaster at Prairie View, Ill. Office became presidential July 1, 1926.

Doris Shuck to be postmaster at Williamsville, Ill., in place of W. D. Shuck, deceased.

INDIANA

Charles G. Hunter to be postmaster at Columbus, Ind., in place of H. J. Tooley. Incumbent's commission expired January 15, 1927.

IOWA

Alfred G. Rigby to be postmaster at Independence, Iowa, in place of A. G. Rigby. Incumbent's commission expired July 24, 1926.

KANSAS

Louisa Allender to be postmaster at Axtell, Kans., in place of Louisa Allender. Incumbent's commission expires March 3, 1927.

Howard F. Heleker to be postmaster at Frankfort, Kans., in place of H. F. Heleker. Incumbent's commission expires March 3, 1927.

Horace A. Fink to be postmaster at Russell, Kans., in place of H. A. Fink. Incumbent's commission expired December 28, 1926.

MASSACHUSETTS

Samuel L. Wildes to be postmaster at Montague, Mass., in place of S. L. Wildes. Incumbent's commission expired October 6, 1925.

Raymond F. Gurney to be postmaster at Wilbraham, Mass. Office became presidential July 1, 1926.

MINNESOTA

Herman Herder to be postmaster at Jordan, Minn., in place of Herman Herder. Incumbent's commission expired February 6, 1927.

Howard O. Haggberg to be postmaster at Isle, Minn., in place of Percy Cole, removed.

Edward J. Soland to be postmaster at Oklee, Minn., in place of E. J. Soland. Incumbent's commission expired November 17, 1925.

MONTANA

Fred W. Handel to be postmaster at Musselshell, Mont., in place of Lunsford Miles, resigned.

NEBRASKA

Charles C. Mills to be postmaster at Carroll, Nebr., in place of Joseph Jones. Incumbent's commission expired December 22, 1926.

Charles M. Steil to be postmaster at Scribner, Nebr., in place of C. M. Steil. Incumbent's commission expired February 24, 1927.

OHIO

Harry W. McKinstry to be postmaster at Athens, Ohio, in place of H. W. McKinstry. Incumbent's commission expired March 13, 1926.

PENNSYLVANIA

William F. Houser, sr., to be postmaster at Middletown, Pa., in place of W. F. Houser, sr. Incumbent's commission expired March 24, 1926.

Mark Mumma to be postmaster at Steelton, Pa., in place of Mark Mumma. Incumbent's commission expired February 24, 1926.

George S. J. Keen to be postmaster at Wiconisco, Pa., in place of G. S. J. Keen. Incumbent's commission expired May 15, 1926.

PORTO RICO

Jenaro Vazquez to be postmaster at Central Aguirre, P. R., in place of Carmelo Oben, resigned.

TEXAS

Irene G. Ferguson to be postmaster at Hearne, Tex., in place of C. J. Hostrasser. Incumbent's commission expired February 8, 1927.

UTAH

Emerson B. Nason to be postmaster at Soldiers Summit, Utah, in place of E. B. Nason. Incumbent's commission expired February 14, 1927.

VIRGINIA

Neville L. Adams to be postmaster at Gretna, Va., in place of O. M. Colbert. Incumbent's commission expired December 21, 1926.

WASHINGTON

Joseph L. Milner to be postmaster at Almira, Wash., in place of J. L. Milner. Incumbent's commission expired February 24, 1927.

Inez G. Spencer to be postmaster at Creston, Wash., in place of I. G. Spencer. Incumbent's commission expired February 24, 1927.

WISCONSIN

Robert L. Raymond to be postmaster at Campbellsport, Wis., in place of William Martin. Incumbent's commission expired January 29, 1927.

Arno C. Eckardt to be postmaster at Kiel, Wis., in place of A. C. Eckardt. Incumbent's commission expired February 14, 1927.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 1927

MEMBER BOARD OF MEDIATION

John Williams to be a member of the Board of Mediation.

SURVEYOR OF CUSTOMS

James E. Rininger to be surveyor of customs in customs collection district No. 11, Philadelphia, Pa.

UNITED STATES DISTRICT JUDGE

John H. McNary to be United States district judge, district of Oregon.

UNITED STATES ATTORNEYS

Charles L. Redding to be United States attorney, southern district of Georgia.

Bennett E. Rhinehart to be United States attorney, northern district of Iowa.

Oliver D. Burden to be United States attorney, northern district of New York.

PROMOTIONS IN THE NAVY

To be rear admiral

Frank H. Clark.

UNITED STATES COAST GUARD

To be temporary ensign

Roland E. Simpson.

CIVIL SERVICE COMMISSION

To be chief examiner

Fay C. Brown.

POSTMASTERS

ILLINOIS

John R. Funkhouser, Albion.
William E. Thompson, Ferris.
Blanche V. Anderson, Leland.
Russell Young, Rossville.

IOWA

Frank P. Rotton, Essex.
William J. Campbell, Jesup.
Merle B. Camerer, Oto.
Fred A. Hall, Van Wert.

KENTUCKY

Edward R. Lafferty, Cave City.
Frank W. Stith, Falmouth.
Grant North, Hustonville.

MASSACHUSETTS

Albert Holway, Bournedale.
Edgar O. Dewey, Reading.

MICHIGAN

James W. Cobb, Birmingham.

MINNESOTA

Claude C. Stubbe, Ashby.
Gertrude S. Dyson, Becker.
J. Arthur Johnson, Center City.
Walter B. Brown, Chisholm.
Adolph Johnson, Clarks Grove.
Nels A. Thorson, Crookston.
Francis P. Kietly, De Graff.
Mathias R. Hannula, Embarrass.
Mott M. Anderson, Hammond.
William Guenther, Hokah.
James H. Phelps, Litchfield.
William H. Wright, Montrose.
Charles W. Field, Northome.
Lena Edstrom, Sandstone.
Marion E. Isherwood, Sebek.

Harry H. Johnson, Spring Valley.
Edith L. Barry, Utica.
Hugh R. Smith, Wabasha.
Maggie N. Halgren, Wabkon.
Jennie M. Wurst, Watkins.
Charles H. Wise, Wayzata.
Emory B. Linsley, Willow River.

NEW JERSEY

Horace Ricker, Bloomingdale.
Elmer G. Houghton, Cranford.
Milton K. Thorp, Hackettstown.
Thomas J. Raber, Hampton.
Arthur J. Halladay, Kenilworth.

NEW MEXICO

Ona Tudor, East Vaughn.
John N. Norviel, Hatch.

NORTH CAROLINA

Eli D. Byrd, Ronda.
David E. Penland, Weaverville.

NORTH DAKOTA

Walter L. Saunders, Ellendale.

PENNSYLVANIA

Chestina M. Smith, Centralia.
Shem S. Aurand, Milroy.
Ira B. Jones, Minersville.
George D. Claassen, Natrona.
J. Ray Frankhouser, Newton Hamilton.
Edward W. Workley, Smethport.

WASHINGTON

Levi H. Niles, Ephrata.
Thomas A. Graham, Goldendale.
Edward C. Campbell, Kettle Falls.
John F. Samson, Oroville.
Andrew J. Cossor, Port Angeles.
Matthew W. Miller, Waterville.

WISCONSIN

Henry R. Pruemers, Burlington.
Mrs. Elden T. Bentsen, College Camp.
Edith Butler, Nashotah.
Robert C. Bulkley, Whitewater.

HOUSE OF REPRESENTATIVES

MONDAY, February 28, 1927

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Spirit, Heavenly Dove, be Thou the glory and the exultation of our hearts. There is nothing sweeter in heaven and earth than Thy love, and nothing more thoroughly known. O as Thou dost make the sun to shine on the evil and the good and sendest rain on the just and the unjust, share with us this wonderful virtue, that we may have consideration and charity for all men. It is our duty to love and seek the highest; alas if our thoughts but shame us. Do Thou let the measure of our hate for sin be the measure of our love for Thee. Give us the courage of faith for this day. In the name of Jesus. Amen.

The Journal of the proceedings of Saturday, February 26, 1927, and of Sunday, February 27, 1927, was read and approved.

PRESERVATION OF ORDER

The SPEAKER. The Chair desires to make a statement and asks the attention of Members. Paragraph 2 of Rule I, providing for the duties of the Speaker of the House, reads as follows:

He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries or in the lobby may cause the same to be cleared.

The Chair feels that it is his duty, certainly during the remaining days of this session, to see that that rule is carried out not only in the spirit but in the letter. [Applause.] A large amount of business remains to be transacted—business of great importance—and it ought to proceed with reasonable dispatch. It is impossible to conduct the public business in the remaining days of the session unless order is preserved. The Chair thinks it his duty to carry out that rule, and he asks the